

TUESDAY, JANUARY 23, 1979



## highlights

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### TEMPORARY HOUSING FOR AGRICULTURAL WORKERS

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## AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR notice 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/COAST GUARD	USDA/ASCS		DOT/COAST GUARD	USDA/ASCS
DOT/NHTSA	USDA/APHIS		DOT/NHTSA	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
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DOT/OPSO	USDA/REA		DOT/OPSO	USDA/REA
CSA	MSPB*/OPM*		CSA	MSPB*/OPM*
	LABOR			LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

**\*NOTE:** As of January 1, 1979, the Merit Systems Protection Board (MSPB) and the Office of Personnel Management (OPM) will publish on the Tuesday/Friday schedule. (MSPB and OPM are successor agencies to the Civil Service Commission.)

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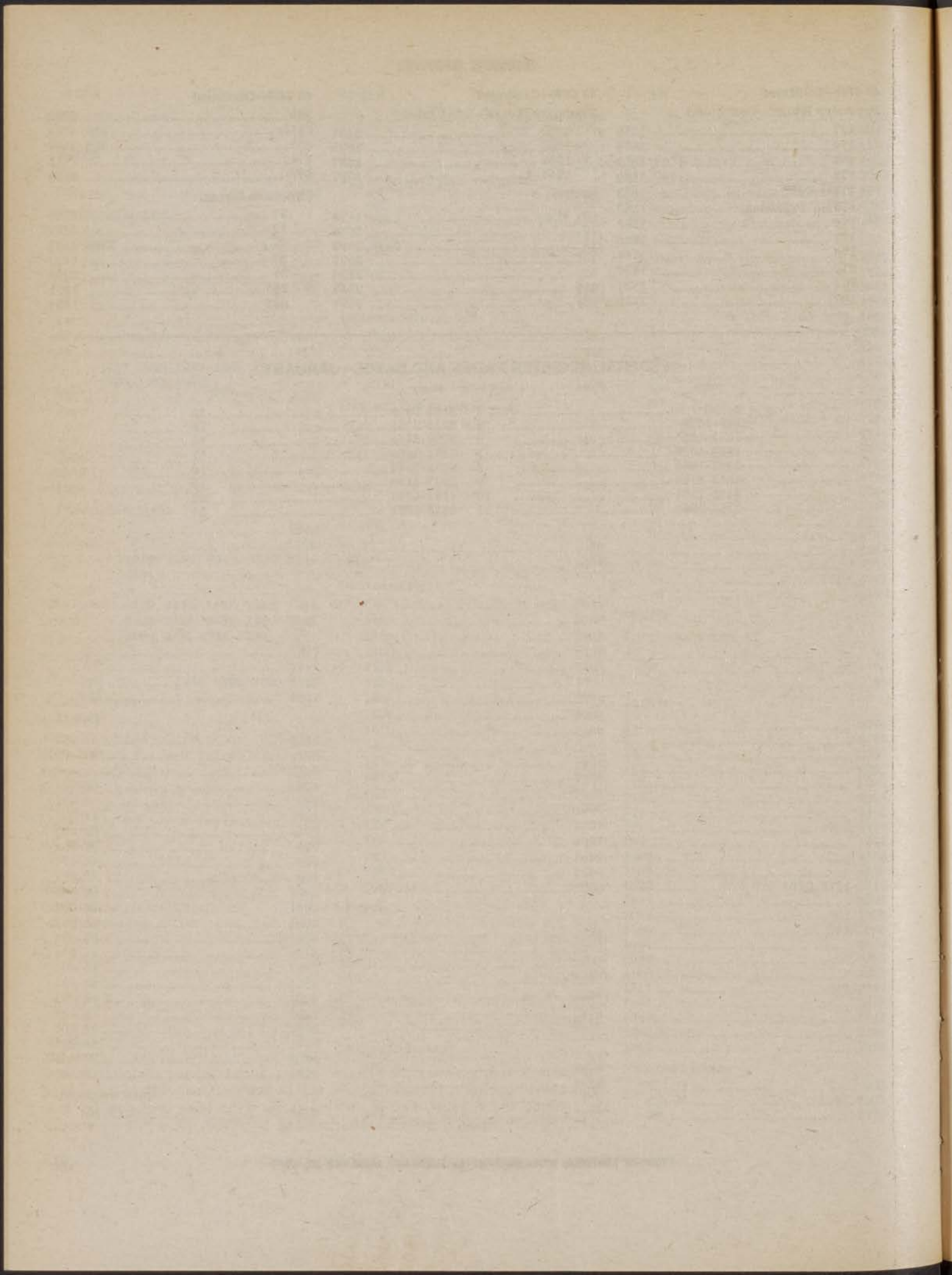
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# presidential documents

## Title 3— The President

Executive Order 12115 of January 19, 1979

### Permanent American Cemetery in the Republic of Panama

By the authority vested in me as President by the Constitution and the laws of the United States of America, including Section 10 of the Act of March 4, 1923 (42 Stat. 1509), as amended (36 U.S.C. 132), and to implement the intent of the United States Senate (124 Cong. Rec. S 3857 of March 16, 1978) as set forth by Reservations (1) and (3) to the Resolution of Ratification of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, it is hereby ordered as follows:

1-101. The Secretary of State shall take all appropriate steps to complete, prior to the date of entry into force of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, hereinafter referred to as the Neutrality Treaty, the negotiations which have begun with the Republic of Panama for an agreement under which the United States of America would, upon the date of entry into force of such agreement and thereafter, administer as a permanent American cemetery such part of Corozal Cemetery as encompasses the remains of citizens of the United States of America.

1-102. Subject to the conclusion of the agreement referred to in Section 1-101 of this Order, the American Battle Monuments Commission shall administer that part of Corozal Cemetery which encompasses the remains of citizens of the United States of America, in accordance with the terms of the agreement with the Republic of Panama.

1-103. The Governor of the Canal Zone shall, to the extent funds are available, disinter from Mount Hope Cemetery, before entry into force of the Neutrality Treaty, and reinter in Corozal Cemetery the remains of United States citizens, and the remains of members of their immediate family that are buried with them. The Governor shall not remove from Mount Hope Cemetery the remains of any such person whose next of kin timely requests in writing that such remains not be disinterred. The Governor shall transport to the United States for reinterment the remains of any such person whose next of kin timely requests in writing that such remains be transported to the United States for reinterment.

1-104. The Secretary of Defense shall, to the extent funds are available, disinter from Corozal Cemetery and transport to the United States for reinterment the remains of United States citizens, and the remains of members of their immediate family buried with them, whose next of kin requests in writing by April 1, 1982, that such remains be transported to the United States for reinterment.

1-105. Subject to the availability of funds, all the costs incurred in the disinterment, reinterment in Corozal Cemetery, and transportation of remains required by this Order, including the costs of preparation, cremation if requested, and a casket or urn, shall be borne by the United States of America. The costs of reinterment in the United States, including any costs for funeral home services, vaults, plots, or crypts, will be the responsibility of the next of kin making the request, except to the extent otherwise provided by law, including any unused specific entitlements available pursuant to statute.



## THE PRESIDENT

1-106. (a) The Governor of the Canal Zone shall identify, to the extent feasible, the closest surviving next of kin of each deceased United States citizen buried in the Mount Hope and Corozal Cemeteries, and of such next of kin of each member of the immediate family that is buried with such United States citizen.

(b) The Governor shall provide notice to the next of kin of such deceased buried in Mount Hope Cemetery that the Government plans to remove the deceased to Corozal Cemetery unless the next of kin requests in writing, not later than three months after the first issuance of such notification, either that the remains not be removed from Mount Hope Cemetery, or that the remains be moved to, and reinterred in, the United States in a cemetery or other burial site designated by the next of kin.

(c) The Governor shall also provide notice to the next of kin of such deceased who are buried in Corozal Cemetery that the Government will disinter and transport such deceased to the United States for reinterment in a cemetery or other burial site designated by the next of kin, if the next of kin so requests in writing not later than April 1, 1982.

(d) The Governor shall publish the notices provided for in subsections (b) and (c) of this Section in appropriate newspapers, magazines and other periodicals, and utilize such other means of communicating with the next of kin that he finds to be practical and effective.

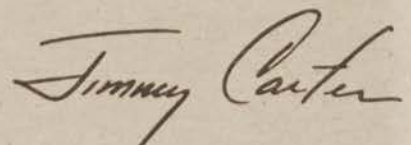
1-107. The Governor of the Canal Zone shall, before the entry into force of the Neutrality Treaty, fully advise the next of kin of all available options, and their implications, in those cases where a request has been made that remains not be removed from Mount Hope Cemetery.

1-108. The Secretary of the Army shall supervise the planned removal of the remains from Mount Hope Cemetery to Corozal Cemetery and shall ensure compliance with the wishes of any next of kin who, within the time specified in clause B(i) to the Third Reservation to the Neutrality Treaty, objects to such removal.

1-109. As used in this Order:

(a) "Next of kin" means the person whom the Governor of the Canal Zone determines to be the nearest living relative, by consanguinity or affinity, of a person buried at Mount Hope Cemetery or Corozal Cemetery.

(b) "Members of their immediate family" means the spouse, children, mother or father of the deceased United States citizen.



THE WHITE HOUSE,  
January 19, 1979.

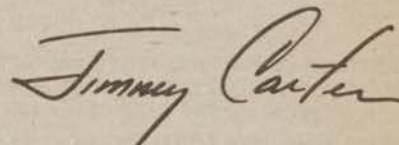
[FR Doc. 79-2569  
Filed 1-22-79; 11:03 am]  
Billing code 3195-01-M



## Executive Order 12116 of January 19, 1979

## Issuance of Food Stamps by the Postal Service

By the authority vested in me as President of the United States of America by Section 11(k) of the Food Stamp Act of 1977 (91 Stat. 974; 7 U.S.C. 2020(k)), the United States Postal Service is hereby granted approval for post offices in all or part of any State to issue food stamps to eligible households, upon request by the appropriate State agency, as defined in Section 3(n) of the Food Stamp Act of 1977 (91 Stat. 960; 7 U.S.C. 2012(n)).

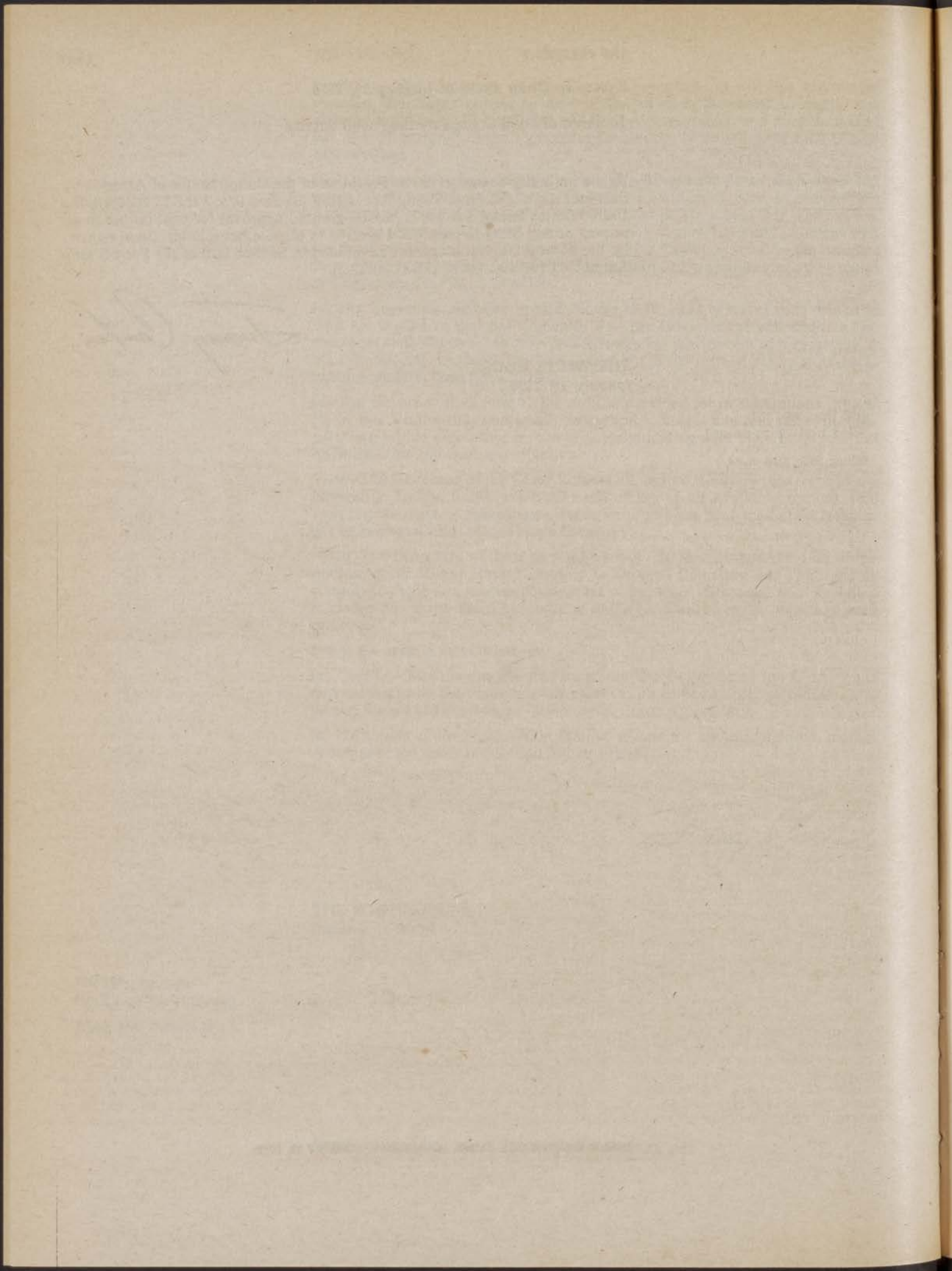


THE WHITE HOUSE,  
January 19, 1979.

[FR Doc. 79-2570  
Filed 1-22-79; 11:04 am]

Billing code 3195-01-M







# rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

[6325-01-M]

## Title 5—Administrative Personnel

### CHAPTER I—OFFICE OF PERSONNEL MANAGEMENT

#### CAREER AND CAREER-CONDITIONAL EMPLOYMENT, TEMPORARY AND TERM EMPLOYMENT, TRAINING, PAY ADMINISTRATION (GENERAL), AND RETIREMENT

##### Interim Regulations

**AGENCY:** Office of Personnel Management.

**ACTION:** Interim regulations with comments invited for consideration in final rulemaking.

**SUMMARY:** New regulations: (1) Implement section 3112 of title 5, as added by section 307 of the Civil Service Reform Act of 1978 by permitting noncompetitive conversion of veterans having a compensable service-connected disability of 30 percent or more to career or career-conditional appointment not limited to 60 days or less, and by permitting such veterans to be given temporary appointments noncompetitively; (2) implement section 4103 of title 5, as amended by section 304 of the Civil Service Reform Act of 1978 by permitting agencies to train employees for placement in other agencies in lieu of separation under conditions which would entitle the employees to severance pay; (3) implement section 5532 of title 5, as amended by section 308 of the Civil Service Reform Act of 1978 by permitting the Office of Personnel Management to make exceptions to the reduction in retired pay of regular military officers only if they retired before January 11, 1979, or were employed in a civilian position on October 13, 1978, and would have been eligible for retired or retainer pay but for age; by permitting the Office to make exceptions to the ceiling on combined income from retired or retainer pay and civilian salary of the retired members of the uniformed services for medical officer positions; and by making agencies responsible for notifying DOD military finance centers of Federal civilian pay changes of retired military personnel;

and (4) implement section 306 of the Civil Service Reform Act of 1978 by adding major reorganization and major transfers of function as conditions permitting the Office to authorize early optional retirement.

**DATES:** Effective date: January 11, 1979, and until final regulations are issued. Comment date: Written comments will be considered if received no later than March 26, 1979.

**ADDRESS:** Send written comments to Office of the Associate Director for Staffing Services, Office of Personnel Management, Washington, D.C. 20415.

#### FOR FURTHER INFORMATION CONTACT:

William Bohling, 202-632-4533.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 553(d)(3) of title 5, U.S.C., the Director finds that good cause exists for making this amendment effective in less than 30 days, in order to provide continuity of operations and to give immediate and timely effect to the appropriate provisions of the Civil Service Reform Act of 1978.

Accordingly, 5 CFR is amended as follows: (1) Part 315 is amended by adding a new § 315.703d, as follows:

#### PART 315—CAREER AND CAREER-CONDITIONAL EMPLOYMENT

##### § 315.703d Disabled veterans.

(a) Subject to requirements concerning qualifications and probationary period published by the Office in the Federal Personnel Manual, an agency may convert the employment of a disabled veteran who has a compensable service-connected disability of 30 percent or more to career or career-conditional employment from a temporary limited appointment of more than 60 days.

(b) *Tenure on conversion.* (1) Except as provided in subparagraph (2) of this paragraph, a person converted under paragraph (a) of this section becomes a career-conditional employee.

(2) A person appointed under paragraph (a) of this section becomes a career employee if excepted from the service requirement for career tenure by § 315.201(c).

(c) *Acquisition of competitive status.* A person converted under paragraph (a) of this section acquires a competi-

tive status automatically on completion of probation.

(5 U.S.C. 3112)

(2) Part 316 is amended by amending subparagraph (4) and adding subparagraph (5) to § 316.402(b), as follows:

#### PART 316—TEMPORARY AND TERM EMPLOYMENT

§ 316.402 Authorities for temporary appointments.

(a) *General rule.* An agency may make and extend a temporary limited appointment only with specific authorization from the Office, except under the conditions published by the Office in the Federal Personnel Manual or as provided in paragraph (b) of this section.

(b) *Noncompetitive temporary limited appointments.* An agency may give a temporary limited appointment, without regard to the existence of an appropriate register, to:

(1) A person with eligibility for reinstatement;

(2) A person eligible for career or career-conditional appointment under §§ 315.601, 315.605, or 315.606 of this chapter;

(3) A former temporary employee of the agency who was originally appointed from a register, subject to the conditions published in the Federal Personnel Manual;

(4) A veteran or disabled veteran as defined in section 201(2)(A) of title 38, United States Code, who:

(i) Served on active duty in the armed forces of the United States between August 5, 1964, and May 7, 1975;

(ii) Completed not more than 14 years of education, unless compensably disabled or discharged because of service-connected disabilities, in which case the 14-year educational requirement does not apply; and

(iii) Is qualified to perform the duties of the position. An appointment under this subparagraph may be made only to a position at GS-7 or below, or the equivalent in another pay system, without time limitation after separation from the military service, and not later than September 30, 1981. A veteran who is an applicant for a position at GS-3 and below under this subparagraph is considered to be qualified to perform the duties of the position on



the basis of his or her total military experience; or

(5) A disabled veteran who has a compensable service-connected disability of 30 percent or more.

(5 U.S.C. 3112)

## PART 410—TRAINING

(3) Part 410 is amended by adding a new paragraph (d) to § 410.301, as follows:

### § 410.301 Scope and general conduct of training programs.

(a) The head of an agency shall determine the policies which are to govern the training of employees of the agency. These policies shall be set forth in writing and include a statement of the broad purposes for which training will be given and of the assignment of responsibilities for seeing that these purposes are achieved.

(b) The head of an agency shall take such administrative action as is necessary to assure that:

(1) Plans and programs are developed to meet the short- and long-range training needs of the agency;

(2) Priorities are established for the training programs of the agency;

(3) Provision is made for the use of funds and man-hours, in accordance with established priorities, for the training programs of the agency;

(4) Employee self-development is fostered through a work environment in which self-development is encouraged, self-study materials are reasonably available, and self-initiated improvement in performance is recognized; and

(5) Information with respect to the general conduct of the training program of the agency is available to enable the Office, the President, and Congress to discharge their respective responsibilities under chapter 41 of title 5, United States Code.

(c) Training programs established by the agencies under chapter 41 of title 5, United States Code, shall, to the maximum extent feasible:

(1) Be based on short- or long-range needs, existing or reasonably foreseeable;

(2) Meet as many of these needs as possible, priority considered;

(3) Use work-assignment flexibility to provide experience to promote employee growth for the purpose of increasing the quality and quantity of work produced; and

(4) Be integrated with other personnel management and operating activities.

(d) As provided in subsection (b) of section 4103 of title 5, United States Code, an agency may train any employee of the agency to prepare the employee for placement in another

agency when the following conditions are met:

(1) The head of the agency must determine that the employee will otherwise be separated under conditions which would entitle the employee to severance pay under section 5595 of title 5, United States Code;

(2) Before undertaking any training under this section, the head of the agency shall obtain verification from the Office of Personnel Management that there exists a reasonable expectation of placement in another agency;

(3) In selecting an employee for training under this section, the head of the agency shall consider:

(i) The extent to which the current skills, knowledge, and abilities of the employee may be utilized in the new position;

(ii) The employee's capability to learn skills and acquire knowledge and abilities needed in the new position; and

(iii) The benefits to the Government which would result from retaining the employee in the Federal service.

(5 U.S.C. 4103)

## PART 550—PAY ADMINISTRATION (GENERAL)

(4) Part 550 is amended by amending § 550.603 and adding § 550.604, as follows:

### § 550.603 Exceptions to reduction in retired or retainer pay.

(a) The Office may authorize exception to the restrictions in 5 U.S.C. 5532(b), without regard to the provisions of 5 U.S.C. 5532 (c) and (e), when the exception is warranted because of special or emergency employment needs of an agency in the executive branch or the government of the District of Columbia which otherwise cannot be readily met. This subsection applies only to:

(i) Any retired officer of a regular component of the uniformed services who was receiving retired pay on or before January 11, 1979; or

(ii) Any individual employed in a position on October 13, 1978, so long as the individual continues to hold any such position (disregarding any break in service of 3 days or less) if the individual, on that date, would have been entitled to retired or retainer pay but for the fact that the individual did not satisfy any applicable age requirement.

(b) Except as otherwise provided in subsection (a), the Office may, during the period until January 11, 1984, authorize exceptions to the restrictions in 5 U.S.C. 5532 (a), (b), and (c) only when necessary to meet special or emergency employment needs which result from a severe shortage of well

qualified candidates in positions of medical officers which otherwise cannot be readily met. Such exception granted by the Office with respect to any individual shall terminate upon a break in service of 3 days or more.

### § 550.604 Responsibilities of military pay centers.

The Department of Defense military pay centers are responsible for determining the amount of military retired or retainer pay to be withheld. Federal agencies are responsible for notifying the Department of Defense concerning the Federal civilian pay of retired military personnel according to instructions provided in the Federal Personnel Manual.

(5 U.S.C. 5532)

## PART 831—RETIREMENT

(5) Part 831 is amended by amending § 831.109, as follows:

### § 831.109 Major Reorganization, reduction in force, or transfer of function.

Determinations of major reorganization, major reduction in force, or major transfer of function for purposes of early optional retirement under section 8336(d)(2) of title 5, United States Code, as amended, will be made by the Office of Personnel Management only after receipt of written request to make the determinations from the agency head, or his designee.

(5 U.S.C. 8336(d)(2))

OFFICE OF PERSONNEL  
MANAGEMENT,  
JAMES C. SPRY,

*Special Assistant to the Director.*

[FR Doc. 79-2381 Filed 1-22-79; 8:45 am]

## [3410-02-M]

### Title 7—Agriculture

## CHAPTER 1—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

## PART 180—REGULATIONS AND RULES OF PRACTICE UNDER THE PLANT VARIETY PROTECTION ACT

### CORRECTION OF RULES

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notification of authority citation.

SUMMARY: The agency adopted final rules at 43 FR 9782 (March 10, 1978)



relating to limits of reciprocity for Israeli nationals applying for plant variety protection on asexually-reproduced plants in the United States. This document adds the authority citation under which those rules were issued.

DATE: March 10, 1978.

FOR FURTHER INFORMATION CONTACT:

Bernard M. Leese (301) 344-2518.

**SUPPLEMENTARY INFORMATION:** The proper authority citation for the rule documents published at 43 FR 9782 is as follows:

(Section 6, 84 Stat. 1542, 7 U.S.C. 2326).

Dated: January 17, 1979.

JAMES E. SPRINGFIELD,  
Acting Deputy Administrator,  
Marketing Program Operations.

[FR Doc. 79-2231 Filed 1-22-79; 8:45 am]

[3410-02-M]

**CHAPTER XI—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS: MISCELLANEOUS COMMODITIES), DEPARTMENT OF AGRICULTURE**

**PART 1270—WOOL AND MOHAIR ADVERTISING AND PROMOTION**

**Subpart—Procedure for the Conduct of Referendums**

**APPENDIX I—AGREEMENT BETWEEN THE AMERICAN SHEEP PRODUCERS COUNCIL, INC., AND THE U.S. DEPARTMENT OF AGRICULTURE**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of Effective Date.

**SUMMARY:** This document announces that the requisite number of sheep and wool producers voting in a referendum have approved a new agreement between the U.S. Department of Agriculture (USDA) and the American Sheep Producers Council, Inc., (ASPC). The agreement has been signed by the appropriate officials of ASPC and USDA and is now effective. The agreement authorizes USDA to make deductions from the incentive payments made to producers under the National Wool Act of 1954, as amended, on shorn wool and unshorn lambs marketed during the years 1978 through 1981. Amounts so deducted are to be used by ASPC for advertising and sales promotion programs and programs for the dissemination of information on product quality, production management, and marketing improvement for wool, sheep, or the products thereof.

**EFFECTIVE DATE:** December 18, 1978.

**FOR FURTHER INFORMATION, CONTACT:**

Ralph L. Tapp, Livestock, Poultry, Grain, and Seed Division, AMS, USDA, Washington, D.C., 20250, 202-447-3970.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 708 of the National Wool Act of 1954, as amended (7 U.S.C. 1787), a referendum was held among sheep and wool producers in the United States on August 21-September 1, 1978, to determine whether they approved a proposed new agreement between USDA and the American Sheep Producers Council, Inc. In the referendum, 24,692 producers, constituting 75.3 percent of the voting producers, voted in favor of the agreement and 8,105 producers or 24.7 percent voted against it. The producers voting in favor owned 5,137,091 sheep or 83.4 percent of the sheep or lambs owned by all the voting producers. Producers owning 1,023,530 sheep or 16.6 percent opposed the agreement. Anyone who owned sheep or lambs 6 months of age or older in the United States, continuously, for a period of at least 30 days during the calendar year 1977 was eligible to vote.

Under the new agreement, deductions will be made from payments on 1978 marketings at the rate of 2½ cents per pound of shorn wool marketed, and at a comparable rate, as determined by the Administrator, AMS, on unshorn lambs and yearlings (pulled wool) marketed; thereafter, the deductions shall be at such rates as the Administrator, AMS, and the ASPC may agree upon, but in no event shall the rates be in excess of the rates specified for calendar year 1978. Amounts so deducted are to be used by ASPC for advertising and sales promotion programs and programs for the dissemination of information on product quality, production management, and marketing improvement for wool, sheep, or the products thereof.

Under authority delegated to me (38 FR 22955, August 28, 1973; 30 FR 23076, June 26, 1974), I have determined that the agreement has the approval of the number of producers required by Section 708 of the National Wool Act of 1954, as amended, since more than two-thirds of the total number of producers, and producers of more than two-thirds of the total volume of production represented in the referendum, indicated approval of the agreement. The text of the agreement was published as Appendix I—Agreement between the American Sheep Producers Council, Inc., and the U.S. Department of Agriculture to Part 1270 and adopted July 25, 1978 (43 FR 32121).

The agreement was signed and became effective on December 18, 1978.

(Sec. 708, 68 Stat. 912, as amended, (7 U.S.C. 1787).)

Dated: January 17, 1979.

JAMES E. SPRINGFIELD,  
Acting Deputy Administrator,  
Marketing Program Operations.

[FR Doc. 79-2280 Filed 1-22-79; 8:45 am]

[4410-10-M]

**Title 8—Aliens and Nationality**

**CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE**

**NOTIFICATION TO ALIENS OF THE AVAILABILITY OF FREE LEGAL SERVICES PROGRAMS**

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Final Rule.

**SUMMARY:** This final rulemaking order amends the regulations of the Immigration and Naturalization Service to provide that aliens under exclusion and deportation proceedings must be advised of the availability of free legal services programs, and organizations recognized pursuant to 8 CFR 292.2. The regulation also establishes procedures and criteria under which organizations offering free legal services may qualify for appearance on the Service listing of such organizations which is to be furnished to the aliens. The regulations also provide that the alien be furnished with a Notice advising him of his appeal rights. These final rules are necessary and intended to establish procedures for informing aliens of the availability of free legal services programs in order to afford them full opportunity to obtain legal representation when involved in deportation or exclusion proceedings before this Service.

**EFFECTIVE DATE:** February 22, 1979.

**FOR FURTHER INFORMATION CONTACT:**

James G. Hoofnagle, Jr., Instructions Officer, Immigration and Naturalization Service. Telephone: (202) 633-3048

**SUPPLEMENTARY INFORMATION:** On September 27, 1978, the Service published a notice of proposed rulemaking at 43 FR 43721 which proposed amendments to 8 CFR 235.6(a), 236.2(a), 242.1(c), 242.2(a), 242.16(a), and 287.3, and proposed addition of a new Part 292a. The proposed amendments to the above cited sections of



the regulations provided that when the Service advises an alien of his right to counsel in proceedings before this Service, it will also advise him of the availability of free legal services programs located within the district in which the proceedings are to be held and also provide him with a list of such free legal services programs and a list of organizations recognized under 8 CFR 292.2 which are available in that district. In addition, at the time the alien is advised of his right to counsel and the availability of free legal services, he is to be provided with a copy of Form I-618, Written Notice of Appeal Rights. New 8 CFR Part 292a which was proposed in the above referenced notice of proposed rulemaking sets forth the procedure and criteria under which organizations providing free legal services would apply to the Service to be placed on the list required to be maintained in the various Service districts.

In response to this notice of proposed rulemaking, the Service received over 60 responses from legal aid societies, charitable organizations and other organizations which represent the interest of aliens in the United States, practicing attorneys and concerned individuals with respect to these proposed rules. The Service also received three petitions signed by numerous individuals and over 100 postal cards objecting to the proposed language of 8 CFR 287.3. A description of the major responses received in connection with this notice of proposed rulemaking, along with the response of the Service, follows.

The most vociferous criticism of the proposed rule was of the proposed amendment to 8 CFR 287.3. 8 CFR 287.3 deals generally with the manner in which the Service is to process aliens arrested without a warrant. The Service proposed to amend this section by providing that after the examining officer determines that formal proceedings will be instituted the alien arrested without a warrant shall be advised of the reason for his arrest, of his right to be represented by counsel of his own choice at no expense to the Government and that he shall be provided with a list of available free legal services programs and organizations recognized pursuant to 8 CFR 292.2 located in the district where his deportation hearing will be held. The responses criticized the timing of the advice to the alien of his right to counsel and of the availability of free legal services. The representations and petitions addressed to this point urged that the Service advise an alien arrested without a warrant of his right to counsel and of the availability of free legal services programs immediately upon his arrest prior to the commencement of any interrogation by

immigration officers. They argue that to do otherwise is contrary to the alien's due process right and that to fail to provide the advice as to right to counsel prior to any interrogation renders the right to counsel meaningless. It is also contended that unless counsel is provided prior to interrogation, the alien will be unable to make knowing and intelligent waivers of any of his rights and will have already admitted deportability or made other damaging statements or have signed a request for voluntary return, thus, rendering any legal advice subsequently provided meaningless.

There is no statutory or constitutional mandate that advice be given to an alien during his interrogation. To safeguard the alien's procedural due process right, the advice concerning his right to counsel, including free legal services will be given to the alien at that stage in the interrogation when the immigration officer has determined that formal proceedings will be instituted.

Other representations which were submitted urged that the Immigration and Naturalization Service establish in this regulation criteria for determining indigency so these services would be provided on a uniform basis throughout the country and to insure that aliens not receive free legal services from a legal services organization in one part of the country, while under the same circumstances he may not receive such representation in another part of the country. The Service does not feel that it is appropriate to establish in these regulations standards for indigency which must be met before a legal services agency may accept a case of an alien based on indigency. The charters, regulations and statutory framework under which organizations funded by the Legal Services Corporation and other organizations which provide legal services to indigent persons operate, have their own standards for determining whether or not a person is or should be permitted to take advantage of those services based on indigency. The Service does not feel it would be appropriate to attempt to establish criteria for indigency in such a manner as to tell the various organizations providing legal services how to go about determining who will qualify. It is our view that the various organizations are responsible and should be permitted to establish criteria under which they will accept cases and that the Service has no place being involved in that determination.

In a number of representations, the criticism was raised that there was no provision to advise the alien of the availability of free legal services in writing, in English and in his own language, and that the written notice of

appeal rights was printed only in English. With regard to notification to the alien in his own language, it has been the practice to provide interpreters if necessary. The Service will continue this practice and the rule will not be amended. The Form I-618, Written Notice of Appeal Rights, has been published in the Spanish language. Publication in other languages will be considered as the need arises.

A small number of individuals submitting representations complained that the Service was without authority to issue these regulations because they were contrary to the provisions of section 292 of the Immigration and Nationality Act. They base their argument on the fact that a number of the legal services organizations are funded by the Federal Legal Services Corporation; therefore, the money which they receive is Government money; and, as a result, an individual represented by a legal services corporation funded organization is being represented at the expense of the Government.

The Service finds no conflict between the limitation in section 292 of the Act and the availability of free legal services rendered by those organizations which are recipients of funds provided by certain Federal agencies or the Legal Service Corporation.

Several representations objected to vesting in the district directors and officers-in-charge final authority to grant applications by organizations to have their names appear on the Service list and suggested that the Board of Immigration Appeals be authorized to entertain appeals from such determinations. The proposed regulation will be redrafted to limit the grounds for denial of applications or removal from the list to the failure of the applicant organization to meet the qualifications set forth in new 8 CFR 292a.2. Provision will also be made for organizations to appeal decisions denying applications or removing an organization from the list to the Regional Commissioner. The proposed regulation will also be redrafted to allow an organization whose name appears on the list to apply for removal from the list to the district director of officer-in-charge.

A few representations suggested that there be included in the Service list the names of private attorneys and social services organizations who do not have attorneys on their staff. Private attorneys who are available to provide free legal services to aliens in deportation or exclusion proceedings can accomplish this objective by having their names appear on the bar association list under their referral system. Also, the proposal will be amended to provide that an organization may be listed if it retains, at no expense to the alien, attorneys to pro-



vide representation in exclusion or deportation proceedings.

One legal services organization suggested that no application form be required of them since the Legal Services Corporation could provide a list of the legal services organizations in the given area and that to require submission of applications would only consume time and paper. The application is only used as a medium to convey to the Service the desire, willingness and ability of the organization to provide free legal services in accordance with this regulation. Without the application the Service will not know which agencies are willing and available to provide free legal services for aliens in proceedings before the Service.

Another organization suggested that proposed 8 CFR 292a be modified to state that referral should be made to representatives, as well as attorneys. This would enable paralegals, law students and the like to engage in this work. The Service cannot amend the rule as recommended because under 8 CFR 292.2, only the Board of Immigration Appeals has authority to permit individuals who are not attorneys, to represent aliens. These individuals must be sponsored by the organization recognized under 8 CFR 292.2(b).

Accordingly, the following amendments will be made to the proposed rules:

1. A new subparagraph will be added to 8 CFR 103.1(m) relating to the appellate jurisdiction of Regional Commissioners to provide them jurisdiction in appeals of decisions dealing with application for or removal from, the listing of free legal services.

2. Proposed 8 CFR 292a.2 will be amended to provide that an organization may also be included on the Service list if it retains, at no expense to the alien, attorneys as defined in 8 CFR 1.1(f) who are available to render free legal services by representation in exclusion or deportation proceedings.

3. Proposed 8 CFR 292a.4 will be revised to provide that denial of an application to appear on the Service list must be based on the failure of the organization to meet the qualifications specified in 8 CFR 292a.2, and that the organization shall be advised of its right to appeal to the Regional Commissioner in accordance with 8 CFR 103.1 and 103.3.

4. Proposed 8 CFR 292a.5 will be amended to provide that removal of an organization from the list shall be based on the failure of the organization to meet the qualifications specified in 8 CFR 292a.2 and that such removal may be appealed to the Regional Commissioner in accordance with 8 CFR 103.1 and 103.3. In addition, this section will be amended to provide that a request for an organization to

have its name removed from the list shall be honored by the District Director or Officer-in-Charge.

In the light of the foregoing, the following amendments are hereby made to Chapter I of Title 8 of the Code of Federal Regulations:

#### PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. In Part 103, § 103.1(m) is amended by adding a new subparagraph (22) to read as follows:

§ 103.1 Delegations of authority.

• • • • •  
(m) Regional Commissioners. • • •

(22) Decisions on applications by organizations to be listed on the Service listing of free legal services programs and decisions to remove organizations from such list. See Part 292a of this chapter.

#### PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

2. In Part 235, the title of § 235.6 is revised and the text of § 235.6(a) is revised as set forth below:

§ 235.6 Referral to immigration judge.

(a) Notice. If, in accordance with the provisions of section 235(b) of the Act, the examining immigration officer detains an alien for further inquiry before an immigration judge, he shall immediately sign and deliver to the alien a Notice to Alien Detained for Hearing by an Immigration Judge (Form I-122). If the alien is unable to read or understand the notice, it shall be read and explained to him by an employee of the Service, through an interpreter, if necessary, prior to such further inquiry. In addition, the alien shall be advised of his right to representation by counsel of his choice at no expense to the Government, and of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where the alien is being detained. He shall, also be furnished with a list of such programs.

#### PART 236—EXCLUSION OF ALIENS

3. § 236.2(a) is amended by revising the third sentence to read as follows:

§ 236.2 Hearing.

(a) Opening. • • • The Immigration Judge shall ascertain whether the applicant for admission is the person to whom Form I-122 was previously delivered by the examining immigration officer as provided in Part 235 of this chapter; enter a copy of such form in evidence as an exhibit in the case; inform the applicant of the nature and purpose of the hearing; advise him of the privilege of being represented by an attorney of his own choice at no expense to the Government, and of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2, of this chapter located in the district where his exclusion hearing is to be held; and shall ascertain that the applicant has received a list of such programs; and request him to ascertain then and there whether he desires representation; advise him that he will have a reasonable opportunity to present evidence in his own behalf, to examine and object to evidence against him, and to cross-examine witnesses presented by the Government; and place the applicant under oath.

#### PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

4. § 242.1(c) is revised by adding three new sentences to the end thereof. As revised, § 242.1(c) reads as follows:

§ 242.1 Order to show cause and notice of hearing.

(c) Service. Service of the order to show cause may be accomplished either by personal service or by routine service; however, when routine service is used and the respondent does not appear for hearing or acknowledge in writing that he has received the order to show cause, it shall be reserved by personal service. When personal delivery of an order to show cause is made by an immigration officer, the contents of the order to show cause shall be explained and the respondent shall be advised that any statement he makes may be used against him. He shall also be advised of his right to representation by coun-



sel of his own choice at no expense to the Government. He shall also be advised of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where his deportation hearing will be held. He shall be furnished with a list of such programs, and a copy of Form I-618, Written Notice of Appeal Rights, regardless of the manner in which the service of the order to show cause was accomplished. Service of these documents shall be noted on Form I-213.

5. Section 242.2(a) is amended by changing the term "special inquiry officer" to "immigration judge" wherever it appears. Section 242.2(a) is further amended by adding three new sentences between the existing fourth and fifth sentences respecting advice to aliens concerning free legal services programs. The three sentences which are added read as follows:

**§ 242.2 Apprehension, custody, and detention.**

(a) *Warrant of arrest.* \* \* \* He shall also be advised of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where his deportation hearing will be held. He shall be furnished with a list of such programs, and a copy of Form I-618, Written Notice of Appeal Rights. Service of these documents shall be noted on Form I-213. \* \* \*

6. Section 242.2(b) is amended by revising the title thereof as set forth below, and by changing the term "special inquiry officer" to "immigration judge" wherever it appears. Section 242.2(b) is further amended by adding four new sentences between the existing fifth and sixth sentences which pertain to notification of aliens of the availability of free legal services and appeal rights. The four sentences which are added read as follows:

(b) *Authority of immigration judge; appeals.* \* \* \* In connection with such application the immigration judge shall advise the respondent of his right to be represented by counsel of his own choice at no expense to the Government. He shall also be advised of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where his application is to be heard. The Immigration Judge shall ascertain that the respondent has received a list of such

programs, and the receipt by the respondent of a copy of Form I-618, Written Notice of Appeal Rights. Upon rendering a decision on an application under this section, the Immigration Judge (or district director if he renders the decision) shall advise the alien of his appeal rights under this section. \* \* \*

7. Section 242.16(a) is revised to read as follows:

**§ 242.16 Hearing.**

(a) *Opening.* The Immigration Judge shall advise the respondent of his right to representation, at no expense to the Government, by counsel of his own choice authorized to practice in the proceedings and require him to state then and there whether he desires representation; advise the respondent of the availability of free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where the deportation hearing is being held; ascertain that the respondent has received a list of such programs, and a copy of Form I-618, Written Notice of Appeal Rights; advise the respondent that he will have a reasonable opportunity to examine and object to the evidence against him, to present evidence in his own behalf and to cross-examine witnesses presented by the Government; place the respondent under oath; read the factual allegations and the charges in the order to show cause to the respondent and explain them in nontechnical language, and enter the order to show cause as an exhibit in the record. Deportation hearings shall be open to the public, except that the Immigration Judge may, in his discretion and for the purpose of protecting witnesses, respondents, or the public interest, direct that the general public or particular individuals shall be excluded from the hearing in any specific case. Depending upon physical facilities, reasonable limitation may be placed upon the number in attendance at any one time, with priority being given to the press over the general public.

**PART 287—FIELD OFFICERS; POWERS AND DUTIES**

8. Section 287.3 is amended by changing the term "special inquiry officer" to "immigration judge" wherever it appears. Section 287.3 is further amended by revising the fourth sentence and adding two new sentences, immediately preceding the existing

fifth sentence. The amendments read as follows:

**§ 287.3 Disposition of aliens arrested without warrant.**

\* \* \* After the examining officer has determined that formal proceedings under sections 236, 237, or 242 of the Act, will be instituted, an alien arrested without warrant of arrest shall be advised of the reason of his arrest and his right to be represented by counsel of his own choice, at no expense to the Government. He shall also be provided with a list of the available free legal services programs qualified under Part 292a of this chapter and organizations recognized pursuant to § 292.2 of this chapter, located in the district where his deportation hearing will be held. It shall be noted on Form I-213 that such a list was provided to the alien. \* \* \*

9. A new Part 292a which reads as follows is hereby added:

**PART 292a—LISTING OF FREE LEGAL SERVICES PROGRAMS**

**Sec.**

- 292a.1 Listing.
- 292a.2 Qualifications.
- 292a.3 Applications.
- 292a.4 Approval and denial of applications.
- 292a.5 Removal of an organization from list.

**AUTHORITY:** Sec. 103; 8 U.S.C. 1103, Interpret or apply secs. 242 and 292 (8 U.S.C. 1252 and 1362).

**§ 292a.1 Listing.**

District directors and officers-in-charge shall maintain a current list of organizations qualified under this Part and organizations accredited under § 292.2 of this chapter within their respective jurisdictions for the purpose of providing aliens in deportation or exclusion proceedings with a list of such organizations as prescribed in this chapter.

**§ 292a.2 Qualifications.**

An organization which seeks to have its name appear on the Service list described in § 292a.1 must show that it is established in the United States, provides free legal services to indigent aliens, has on its staff attorneys as defined in § 1.1(f) of this chapter or retains, at no expense to the alien, attorneys as defined in § 1.1(f) of this chapter, who are available to render such free legal services by representation in deportation or exclusion proceedings. Bar associations which provide a referral service of attorneys who render pro bono assistance to aliens in deportation or exclusion proceedings may also



qualify to have their names appear on the Service list. Listing of an organization qualified under this part is not equivalent to recognition under § 292.2 of this chapter.

**§ 292a.3 Applications.**

Applications by organizations to qualify for listing under this Part shall be submitted to the district director or officer-in-charge having jurisdiction over each area in which free legal services are being provided by the organization. The application shall be supported by a declaration signed by an authorized officer of the organization that the organization complies with all the qualifications set out in § 292a.2.

**§ 292a.4 Approval and denial of applications.**

District directors or officers-in-charge shall have the authority to grant or deny an application submitted by an organization under this Part, within their respective jurisdiction. If an application is denied, the applicant shall be notified of the decision in writing giving the grounds for such denial. Denial must be based on the failure of the organization to meet the qualifications specified in § 292a.2. The organization shall be advised of its right to appeal to the Regional Commissioner in accordance with §§ 103.1 and 103.3 of this chapter.

**§ 292a.5 Removal of an organization from list.**

If the district director or officer-in-charge is satisfied that an organization listed under § 292a. does not meet the qualifications as set out in § 292a.2, he shall notify the organization concerned, in writing, of his intention to remove its name from the Service list. The organization may submit an answer within 30 days from the date the notice was served. If, after considering the answer by the organization, in the event an answer is submitted, the district director or officer-in-charge determine that the organization does not qualify under § 292a.2, he shall remove its name from the list. Removal must be based on the failure of the organization to meet the qualifications specified in § 292a.2 of this chapter. The organization shall be advised of its right to appeal to the Regional Commissioner in accordance with §§ 103.1 and 103.3 of this chapter. If an organization applies to the district director or officer-in-charge to have its name removed from the Service list, that request shall be honored.

(Sec. 103; 8 U.S.C. 1103; Interpret or apply secs. 242 and 292 (8 U.S.C. 1252 and 1362).)

**Effective date:** The amendments contained in this order become effective on February 22, 1979.

Dated: January 18, 1979.

LEONEL J. CASTILLO,  
Commissioner of  
Immigration and Naturalization.  
[FR Doc. 79-2294 Filed 1-22-79; 8:45 am]

**[1505-01-M]**

**Title 9—Animals and Animal Products**

**CHAPTER III—FOOD SAFETY AND QUALITY SERVICE, MEAT AND POULTRY INSPECTION, DEPARTMENT OF AGRICULTURE**

**PART 319—MEAT SPECIALITIES, PUDDINGS AND NONSPECIFIC LOAVES**

**CFR Correction**

In § 319.280 appearing on page 629 of Title 9 of the Code of Federal Regulations revised as of January 1, 1978, a word appeared in error. For the convenience of the user the correct § 319.280 is set forth below:

**§ 319.280 Scrapple.**

"Scrapple" shall contain not less than 40 percent meat and/or meat by-products computed on the basis of the fresh weight, exclusive of bone. The meal or flour used may be derived from grain and/or soybeans.

**[6320-01-M]**

**Title 14—Aeronautics and Space**

**CHAPTER II—CIVIL AERONAUTICS BOARD**

**SUBCHAPTER B—PROCEDURAL REGULATIONS**

[Regulation PR-192, Amdt. No. 2; Docket 34512]

**PART 300—RULES OF CONDUCT IN BOARD PROCEEDINGS**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., January 18, 1979.

AGENCY: Civil Aeronautics Board.

ACTION: Final Rule.

**SUMMARY:** The Board, on its own initiative, is modifying its present *ex parte* rule to permit Board employees in non-hearing cases to consult with other federal agencies and in certain small community air service cases to consult with any interested persons. A written summary of any such communication would have to be placed in the docket for the case. In addition, the amendment will conform the definition of the class of communications barred by the rule to match the definition given in the Administrative Proce-

dures Act, 5 U.S.C. 557(d), of proscribed *ex parte* communications.

**DATES:** Effective: January 18, 1979. Adopted: January 18, 1979.

**FOR FURTHER INFORMATION CONTACT:**

Thomas L. Ray, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, 202-673-5424.

**SUPPLEMENTAL INFORMATION:**

The Board's present rule on *ex parte* communications, 14 CFR 300.2, 300.3, was adopted in 1977 to substantially strengthen the earlier prohibition against *ex parte* communications. PR-166, adopted March 29, 1977, 42 FR 17436 (April 1, 1977). As a result of that strengthening, our rule is considerably stricter than the *ex parte* rule in the Administrative Procedure Act (APA), 5 U.S.C. 557(d), added by the Government in the Sunshine Act, Pub. L. 94-409, 90 Stat. 1241 (September 13, 1976). The principal difference is our own rule's coverage of more kinds of proceedings than are covered by the APA. The APA *ex parte* prohibition applies only to proceedings in which a hearing is required. We have found that the broader coverage of our rule is beneficial and, for the most part, requires no changes.

Our experience with the rule, however, has shown a need to modify it in some respects. First, there are communications in two kinds of non-hearing cases which need to be exempted from the bar against *ex parte* communications in order for us to properly carry out our duties. The first kind concerns the Board's responsibility under Section 419 of the Federal Aviation Act, 49 U.S.C. 1389, added by Section 33(a) of the Airline Deregulation Act of 1978 (Pub. L. 95-504) to arrange for the provision of essential air service to the small communities entitled to it. In determining the air service needs of the eligible communities, we are expressly directed by the legislation to consult with the communities and the appropriate state agencies. The Board, moreover, will probably need to discuss with the incumbent and applicant carriers how best to meet the service needs of these communities. Under our present rule, the *ex parte* prohibition would not begin to apply to a Section 419 proceeding until it became a "public proceeding" within the meaning of the rule. Nonetheless, even after institution of such a proceeding, we believe it likely that we will have discussions with the communities, states, and the carriers. To avoid cutting off these discussions, we have decided to amend the *ex parte* rule to exempt them from the prohibition against *ex parte* communications, so long as the proceeding has not been set for hear-



ing. To preserve the fairness of our decision of such cases, however, we will require that a written summary be filed in the docket under Section 300.3 of our rules.

In addition, we have found from experience that the Board's duties from time to time require our staff to discuss with other federal agencies matters which are at issue in public proceedings. Such discussions are permitted by the APA in non-hearing cases, but not now by our own rule. We recently determined to waive the *ex parte* prohibition in two Board proceedings because we found it necessary for our staff to hold discussions with the Federal Aviation Administration and Department of Transportation. Orders 78-11-67 (November 16, 1978) and 78-11-68 (November 16, 1978). To avoid the need for such waivers in the future, we are amending our *ex parte* rule to permit discussions between our staff and other federal agencies in non-hearing cases. Like the discussions in Section 419 proceedings, however, a summary of such discussions with other agencies will have to be made publicly available. Communications concerning national defense and foreign policy matters, which are already exempted by paragraph (e), will retain that exemption and will not be subject to the requirement that a summary be made publicly available.

Secondly, the present rule was adopted shortly after Congress added a comprehensive *ex parte* prohibition to the Administrative Procedure Act (APA). The Board's rule, however, uses somewhat different language than the APA in defining the kind of communications considered to be *ex parte*. While the APA speaks of communications "relevant to the merits of the proceeding" from "interested persons," the Board's rule bans "any . . . statement that could influence a decision on any significant issue, of procedure or on the merits, in a public proceeding." We see no reason for preserving these differences in language, which can cause confusion without providing any benefit.<sup>1</sup> Accordingly, we will conform to the Board rule's description of the kind of communications prohibited by it to that of the APA.

Finally, our present rule's definition of "public proceeding" does not cover proceedings instituted by a show-cause order issued on the Board's own motion, rather than in response to a docket filing, e. g. the Board's reexamination through a show-cause proceeding of the International Air

<sup>1</sup>We note that the APA rule does not expressly proscribe communications involving a significant procedural issue. We assume, however, that a communication on a significant procedural issue relevant to a case's merits could be held barred by the APA rule.

Transport Association (IATA) traffic conference machinery, Order 78-6-78 (June 9, 1978). When such cases are contested, they should be protected by the *ex parte* rule as soon as a document opposing the order's tentative findings is filed in the docket. This amendment of the rule therefore expands the definition of "public proceeding" so that it includes such show-cause proceedings.

The Board finds that the public interest requires that this amendment take effect immediately, since it will enable the Board to better carry out its responsibilities. In particular, the Board's staff, under a statutorily imposed timetable, has already begun work on the new small community service program mandated by Section 419 of the Act, and the Board is already taking action under that section. Furthermore, this amendment essentially concerns matters of agency procedure and practice which will not prejudice any party in a Board proceeding. We therefore find that notice and public procedure are contrary to the public interest, which requires that this amendment become effective immediately. We also find there is good cause for omitting the 30 days' advance notice ordinarily required for rulemaking.

While we have found a need to make this amendment effective immediately, we do wish to give the public an opportunity to comment on these rules. We are therefore issuing simultaneously a notice of proposed rulemaking in order to provide the public that opportunity.

Accordingly, effective January 18, 1979, the Board hereby amends Part 300, *Rules of Conduct in Board Proceedings* (14 CFR Part 300), as follows:

1. Paragraphs (a), (b)(1), (b)(3), and (c) of § 300.2 are amended to read as follows:

#### § 300.2 Prohibited communications.

(a) *Basic requirement.* Except as provided in paragraphs (c), (d), and (e), there shall be no substantive communication in either direction between any concerned Board employee and any interested person outside the Board, concerning a public proceeding, until after final disposition of the proceeding, other than as provided by Federal statute or published Board rule or order.

(b) *Definitions.* For purposes of this part:

(1) A "substantive communication" is any written or oral communication relevant to the merits of the proceeding.

(3) A "public proceeding" is one of the following:

(i) A proceeding for which a Federal statute requires a hearing, after the filing of the document initiating the proceeding, or a matter on which the Board has ordered a hearing at which an employee presides at the taking of evidence, after the issuance of the order (such a proceeding is referred to as a "hearing case," with any other proceeding sometimes referred to as a "nonhearing case").

(ii) A rulemaking proceeding, after the issuance by the Board of a notice requesting public comment.

(iii) A tariff filing after the Board has ordered an investigation or a complaint has been filed or docketed.

(iv) A proceeding initiated by a Board show-cause order, after the filing in the docket of an identifiable written opposition to the order's tentative findings.

(v) Any other proceeding initiated by a docket filing, after the filing in the docket of an identifiable written opposition to the initiating document.

(c) *General exceptions.* Paragraph (a) of this section shall not apply to the following:

(1) Informal communications . . . .

(7) Nonhearing cases . . . .

(8) Nonhearing cases arising under Section 419 of the Federal Aviation Act, 49 U.S.C. 1389.

(9) In nonhearing cases, communications with other Federal agencies not exempted by paragraph (e) of this section.

2. § 300.3(a) is amended by adding the following new paragraphs (5) and (6):

#### § 300.3 Reporting of communications.

(a) . . . .

(5) Communications in nonhearing cases arising under Section 419 of the Federal Aviation Act, 49 U.S.C. 1389, made under § 300.2(c)(8).

(6) Communications in nonhearing cases with other agencies of the Federal government under § 300.2(c)(9).

(Sections 204 and 1001 of the Federal Aviation Act of 1958 as amended, 72 Stat. 743, 788, 49 U.S.C. 1324, 1481).

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,  
Secretary.

[FR Doc. 79-2341 Filed 1-23-79; 8:45 am]



[6320-01-M]

[Regulation PR-190; Amdt. No. 50; Docket 34304]

**PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. January 17, 1979.

AGENCY: Civil Aeronautics Board.

ACTION: Final Rule.

SUMMARY: In PR-191, also adopted today, the Board established new rules governing unused authority under the Airline Deregulation Act of 1978. This rule makes ancillary changes to the Board's Rules of Practice.

DATES: Adopted: January 17, 1979. Effective: January 17, 1979.

FOR FURTHER INFORMATION CONTACT: Mark Schwimmer, Office of the General Counsel, Civil Aeronautics Board, Washington, D.C. 20428 (202) 673-5442.

SUPPLEMENTARY INFORMATION: New rules governing unused authority appear in Part 321. This amendment of Part 302 revokes the old Rules, which were in Subpart R. Conforming changes are also made in Subpart I. Supplementary information about these rules appears in PR-191, also adopted today.

Accordingly, the Civil Aeronautics Board amends Part 302, *Rules of Practice in Economic Proceedings* (14 CFR Part 302) as follows:

1. Section 302.901 is revised to read:

**§ 302.901 Applicability.**

This subpart sets forth the special rules applicable to proceedings for conferment and/or modification of route authority under sections 401 and 402 of the Federal Aviation Act of 1958. However, this subpart does not apply to applications for unused authority under section 401(d)(5) of the Act and Part 321 of this chapter or applications for automatic market entry under section 401(d)(7) and Part 322 of this chapter. For information as to other applicable rules, reference should be made to Subpart A of this part, to the Federal Aviation Act, and to the substantive rules (Parts 201 and 211 for the form of applications) and orders of the Board.

2. In § 302.908, paragraph (a) is revised to read:

**§ 302.908 Applications for new or modified certificated route authority.**

(a) This section applies to all applications filed under this part for new or modified certificated route authority except those filed under Subpart M or N and those filed in response to, and conforming to, an order instituting a

route investigation. Except as modified by this section, the rules in Subpart A of this part continue to apply.

**Subpart R—[Revoked]**

3. Subpart R—*Rules Applicable to Unused Authority Proceedings*, is revoked.

4. The Table of Contents is amended by deleting Subpart R.

By the Civil Aeronautics Board:

PHYLLIS T. KAYLOR,  
Secretary.

[FR Doc. 79-2337 Filed 1-22-79; 8:45 am]

[6320-01-M]

[Reg. PR-191; Issuance of Part 321]

**PART 321—UNUSED AUTHORITY PROCEDURES**

**Final Rule**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., January 17, 1979.

AGENCY: Civil Aeronautics Board.

ACTION: Final Rule.

SUMMARY: The CAB is revising the rules governing unused authority under the Airline Deregulation Act of 1978. The changes include (1) new format requirements and filing deadlines for certain existing types of documents; (2) new types of documents; (3) a drawing to establish priorities among applications and incumbent carriers' notices of intent to begin service that are filed on the same day; (4) procedures for disposition of these filings, and (5) interpretations of some provisions of the Act.

DATES: Adopted: January 17, 1979. Effective: January 17, 1979, except that the requirements in § 321.4 for notices of completion of 13 weeks of service, and for notices by incumbents (but not applicants) of inauguration of service are effective March 6, 1979.

FOR FURTHER INFORMATION CONTACT:

Mark Schwimmer, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428; (202) 673-5442.

SUPPLEMENTARY INFORMATION: The unused or "dormant" authority provision of the Federal Aviation Act, section 401(d)(5), was added by the Airline Deregulation Act of 1978, Pub. L. 95-504. In anticipation of applications and incumbent carriers' notices of intent to begin service, to be filed upon the signing of the Deregulation Act, we established rules governing

unused authority proceedings. These rules are found in Subpart R of 14 CFR Part 302, *Rules of Practice in Economic Proceedings*. (PR-180, October 18 1978; 43 FR 49529, October 24, 1978.) We later amended Subpart R to allow applications to include page citations instead of actual copies of Official Airline Guide pages used to demonstrate dormancy. (PR-183, November 2, 1978; 43 FR 52021, November 8, 1978.)

In PDR-59, we proposed substantial revisions of the unused authority rules (December 21, 1978; 43 FR 60283, December 27, 1978). In connection with these revisions, it was also proposed to transfer the rules from Subpart R to a new Part 321. The proposed changes included new names, format requirements, and filing deadlines for certain existing types of documents; new types of documents, with corresponding deadlines and service requirements; a drawing or computer lottery to establish priorities among applications and incumbents' notices filed on the same day; procedures for disposition of these filings; and interpretations of some provisions of the Act.

Eight air carriers, the Airport Operators Council International (AOCI), and the Port Authority of New York and New Jersey filed comments. After considering these comments, the Board is adopting Part 321 as proposed, except for the changes discussed below. We have decided to use a drawing rather than a computer-based lottery for establishing priorities among applications and incumbents' notices of intent to begin service that are filed on the same day. PR-190, also issued today, adopts the ancillary amendments to Part 302, *Rules of Practice in Economic Proceedings*, that were also proposed in PDR-59.

**INTERPRETATIONS**

"Commence service." Section 401(d)(5)(H) directs carriers awarded new authority on the basis of unused authority to "commence service" within 45 days after the award, with a corresponding requirement where the authority is seasonal. Otherwise, the Board is required to revoke the new authority. PDR-59 proposed interpreting this provision as though Congress had included wording in subparagraph (H) similar to that of subparagraph (G), where successful incumbents are explicitly directed to begin service and continue it at the minimum of five round-trips per week for 13 consecutive weeks (or for at least half the season).

Allegheny Airlines, Continental Airlines, and AOCI supported this proposed interpretation, while Trans World Airlines opposed it. Air Florida urged a delayed effective date.



Supporters of the interpretation generally argued that it comports with Congress' intent to encourage real rather than token new service in markets that have unused authority. TWA argued that the Congressional remedy for failure of a new entrant to provide minimum service is the eligibility of that authority for further entry when it becomes dormant after 26 weeks, rather than loss of the new entrant's certificate. Section 401(d)(5)(H), however, directs the Board to revoke a new certificate if the carrier does not commence service within 45 days. If TWA's argument were valid, a carrier could, by performing a single flight on the 45th day, retain its new authority and block any new competition while providing no further service for 13 weeks, as long as it then finally began to perform five round-trips per week for the next 13 weeks. We do not believe that Congress intended "commence service" to mean so little. Moreover, TWA has not shown that the proposed interpretation is unreasonable. Accordingly, we are adopting the interpretation essentially as proposed.

Allegheny pointed out that the proposed interpretation, by keying the 13-week period of five-flights-per-week service to the day that the carrier actually begins service, would penalize carriers that begin immediately with limited service and intend to upgrade it to five flights per week by the 45th day. Such a carrier would not satisfy the proposed interpretation, since the minimum level of service would not have been provided for the "first 13 full calendar weeks after the day that it begins service." We did not intend this result, and the interpretation has been redrafted accordingly.

Air Florida argued that the interpretation of "commence service" should be given prospective effect only. It stated that carriers that were awarded authority long ago and in good faith developed operating plans based on their own less stringent but nonetheless reasonable interpretations should not be required to change those plans abruptly. It suggested that the interpretation be limited to awards of authority made after December 21, 1978 (the date the interpretation was proposed); for earlier awards, a carrier would need only to avoid creating a new dormancy by providing at least 13 weeks of minimum-level service during the first 26 weeks. We agree with Air Florida's argument that the interpretation should be given prospective effect only, but not with its suggested way of doing it. If carriers that received awards before the effective date of the interpretation were not subject to it at all, the "commence service" requirement could be made meaningless for those awards, as explained above in response to TWA's argument. In-

stead we are establishing March 4, 1979, as the critical date in the following manner: if the authority was awarded before January 20, 1979, the carrier need only begin to provide some service within 45 days of the award, but by March 4 it must begin to provide at least five round-trips per week and continue service of at least that level for 13 full calendar weeks. This approach provides as much lead time for old awards as it does for new ones.

Northwest Airlines asked whether, if the day on which a carrier is required to begin service falls on a Saturday, it may comply by having a schedule that, while effective on that Saturday, would not involve any flights until the following Monday since the schedule consisted solely of weekday service. We interpret the requirement as being satisfied by such a schedule, since it would be unnecessarily burdensome to require an anomalous weekend flight.

"Week" means calendar week. PDR-59 proposed to simplify the computation of dormancy periods by interpreting the term "week" to mean a calendar week running from Sunday through the following Saturday. TWA suggested that weeks be considered as running from Monday through Sunday, to conform with the Official Airline Guide's practice of numbering the days of the week in that order. Since no other commenter suggested the change, the OAG practice is a very minor consideration and is contrary to the conventional view of a week, and some expense would be involved in reprogramming the Board's computer, this suggestion is not being adopted.

#### DOCUMENTS

**Labeling.** The proposed rule prescribed titles for all types of documents and specified that the governing subparagraph of section 401(d)(5) be indicated on the cover page. The rule has been redrafted to require the subparagraph to be included as part of the title.

**Identification of Points.** PDR-59 proposed that points be identified in applications by the Official Airline Guide's city codes instead of airport codes, with special provisions for cities served by multiple airports. The Port Authority of New York and New Jersey pointed out that Newark, which is often designated in certificates as a point distinct from New York, could not be properly identified under the proposed scheme because it does not have its own city code. The final rule accommodates this situation by specifying that when an airport is named in a certificate as a separate, non-hyphenated point, it shall be identified by airport code in parentheses after the city code for the area. Thus

Newark would be identified as NYC(EWR).

**Service of Documents.** Delta suggested that applications should be required to be served on all carriers operating at each point named in the application, instead of merely on those carriers that operated in the named markets. This suggestion is not being adopted, since the general interest that a carrier has in markets involving the points it serves does not appear significant enough to warrant such an expansion of the service requirements. We are, however, adding a requirement that the mayor or other chief executive of each named point be served with applications and other documents. Since this requirement will facilitate participation by communities that have an important interest in unused authority proceedings and imposes no significant additional burden, we find that notice of proposed rulemaking on this point is unnecessary and not in the public interest.

**Aircraft Information To Be Included in Applications.** PDR-59 proposed that applications be required to include a minimal amount of additional information so that the Board could verify the certification that the applicant's aircraft meet FAA specifications. The proposal suggested the aircraft description set forth in proposed § 321.12 for applications requesting suspension of incumbents' authority, or some similar data. No comments addressed this subject. We are adopting this approach. Applicants must submit either a plan for obtaining aircraft, identified by type, that can be verified within 15 days by the Board's staff, or a list of aircraft identified by FAA registration number. However, for carriers that have not yet been found fit, willing, and able to provide scheduled service this plan or list is not limited to those aircraft that the applicant contemplates using in the market where it seeks authority, since section 401(d)(5) appears to contemplate a certification by the applicant that all its aircraft comply with applicable FAA requirements. Applicants that have already been found fit, willing, and able to provide scheduled service need only cite the most recent Board order establishing that finding and provide the plan or list for aircraft that they intend to use in the market applied for.

**Schedule Information.** In markets governed by subparagraph (D) or (E) of section 401(d)(5), the Board must issue a certificate to the first applicant not blocked by an incumbent's notice unless it finds that the issuance would be inconsistent with the public convenience and necessity. PDR-59 proposed in § 321.14 a special requirement for replies to answers to applications



in these markets when the answer alleges that issuance of a certificate would be inconsistent with the public convenience and necessity; the reply would have to indicate, by frequency and equipment type, what service the applicant would provide and what service (if any) it would discontinue in order to make aircraft available for the new service. Southern Airways argued that this information should be required in all applications because the reply stage is too late, while Delta argued that it should not be required even in replies. We reject these arguments, adopting the schedule information requirement as proposed.

Southern's argument is based on the incorrect assumption that replies would not be due until 42 days after an application. However, the schedule is as follows: Answers to the application are due 14 days after the application; replies by the applicant, 28 days after; and responses 42 days after. Therefore, opponents will have 14 days after the reply stage to prepare response based on the schedule information included in the reply. This is as much time as opponents would have if the information were required in all applications, because in that case the responses stage would be eliminated entirely.

Moreover, imposing the schedule information requirement on all applications would be unnecessarily burdensome, since most will probably not be opposed on public convenience and necessity grounds and some will be blocked by earlier-filed incumbents' notices or applications.

Delta likened unused authority proceedings under section 401(d)(5) to route proceedings under section 401(d)(1) that contemplate multiple permissive authority. It argued that the schedule information requirement is burdensome at any stage, and in the alternative that at most an illustrative service proposal should be required in replies. This argument lacks merit. The crucial distinction between these two types of route authority is that successful applicants under the unused authority provisions are required to begin service within a specified time. Providing the proposed schedule information in replies therefore is not excessively burdensome, because an applicant carrier will by reply time have some plans as to what its schedules will be.

#### PROCEDURES

**Drawing.** Applications and incumbents' notices that are filed on the same day are considered essentially simultaneous. PDR-59 proposed alternative methods for randomly establishing the order in which such documents would be treated as having been filed. The first possibility, a conven-

tional blind drawing, was a continuation of the method already being used on an interim basis. The alternative proposal was a computer-based lottery using random numbers, with seed numbers derived from documents' docket numbers and a rapid-advance digital clock that would be available in the Docket Section. American Airlines suggested that the drawing is straightforward and easily understood, while the computer approach is unnecessarily complicated. Delta also preferred a drawing, but suggested that if the computer approach is used, seed numbers be taken directly from the computer's real-time clock instead of the more complicated method that was proposed. Air Florida also preferred the drawing to a lottery, but stated that its first choice would be a professional sports-type draft system with rounds, as a more equitable method of distributing unused authority.

We have decided to adopt the drawing method in view of its established adequacy and the commenters' preference for it. The computer lottery appears not to inspire public confidence. Air Florida's suggestion of a sports-type draft, which is actually independent of the choice between a drawing and a computer lottery, is not being adopted. It is needlessly complicated in light of the small number of markets likely to be simultaneously receiving multiple applications and the varying groupings of carriers filing for those markets.

**Five Days to File a New Application After a Retraction or Relinquishment.**—To open markets earlier to new applicants, PDR-59 proposed a procedure whereby incumbents could retract (referred to in the proposal as "waive") their incumbents' notices, and winning applicants could relinquish their new authority before the deadline for beginning service. Proposed §§ 321.32 and 321.33 stated that new applications would be accepted on the first business day after the retraction or relinquishment was filed. Continental pointed out that this practice would provide virtually no notice of the market's new availability to prospective applicants. Unlike the other events that create an opportunity to apply, i.e., the existence of a dormancy or a failure to begin service, there is no advance warning of the possibility of filing new applications. The proposed procedure would thus give an unfair advantage to carriers that can afford to have representatives check the Docket Section in Washington every day. Continental suggested that applications therefore not be accepted until the fifth business day after the retraction or relinquishment is filed. Continental's argument has merit. To minimize confusion in the Docket Section, however, we will accept new ap-

plications on the first through the fifth business day and treat them as if they were all filed on the fifth. In this special situation, five days' filings would be consolidated in a single drawing.

**No Waiver Provision.** TWA and Air Florida suggested that the rule include a waiver provision so that carriers could be relieved from requirements that are burdensome in special situations, particularly the "commence service" interpretation when circumstances beyond the carrier's control make compliance impossible. There is no need for such a waiver provision, however, since the Board's Section 416 exemption power (as liberalized by the Deregulation Act) is adequate to handle these situations.

#### EDITORIAL CHANGES

The proposed definition of "minimum level" and "minimum level of service" merely incorporated by reference the service levels specified in Section 401(d)(5) of the Act. It has been redrafted to state these levels explicitly. Proposed § 321.6 addressed the separation of functions rule, 14 CFR 300.4. It has been redrafted to state more clearly that actions taken by the Bureau of Pricing and Domestic Aviation in administering Section 401(d)(5) will not be considered as creating a conflict with the separation of functions rule in any proceeding.

#### FEDERAL REPORTS ACT

This rule requires applicants and other participants in unused authority proceedings to provide the Board with certain information. By publishing this final rule, the Board has determined that this information is necessary and must be prepared and submitted. Accordingly, the following requirements are adopted subject only to review by the General Accounting Office pursuant to 44 U.S.C. 3512: The application requirements found in §§ 321.10 through 321.12; the requirements for incumbents' notices in §§ 321.20 and 321.21; the related requirements for responsive documents in §§ 321.13 through 321.15, 321.22, and 321.23; and the requirements for relinquishments and retractions in §§ 321.32 and 321.33. These specific requirements will be effective immediately, along with the rest of Part 321 (other than portions of § 321.4, as noted below). Interested persons are not precluded from applying for new routes or otherwise participating in unused authority proceedings. However, GAO will conduct its clearance review to ensure that a minimum burden is imposed upon these participants and that the information required is otherwise consistent with the Federal Reports Act. The Board will publish a notice of GAO's decision.



This rule also contains reporting requirements in § 321.4 that will be submitted to the General Accounting Office for review under the Federal Reports Act. The effective date of the requirements for notices of completion of 13 weeks of service, and for notices by incumbents (but not applicants) of inauguration of service, unless the Board hereafter indicates otherwise, is March 6, 1979, which reflects the inclusion of a 45-day period that that statute allows for such review (44 U.S.C. 3512(c)(2)).

#### THE RULE

Accordingly, the Civil Aeronautics Board adds a new Part 321 to Chapter II of Title 14, Code of Federal Regulations, to read:

### PART 321—UNUSED AUTHORITY PROCEDURES

#### Subpart A—General

- Sec.
- 321.1 Applicability.
  - 321.2 Conformity with Subpart A of Part 302.
  - 321.3 Definition.
  - 321.4 Notices of inauguration and completion of 13 weeks of service.
  - 321.5 Environmental evaluations and energy information not required.
  - 321.6 No conflict with separation of functions rule.

#### Subpart B—Applications for Unused Authority and Related Documents.

- 321.10 General requirements for applications.
- 321.11 Contents of applications.
- 321.12 Additional requirements for applications that request suspension of unused authority.
- 321.13 Answers to applications.
- 321.14 Replies to answers to applications.
- 321.15 Responses to replies.

#### Subpart C—Incumbent Carriers' Notices of Intent To Begin Service and Related Documents

- 321.20 General requirements for incumbent carriers' notices of intent to begin service.
- 321.21 Contents of incumbents' notices.
- 321.22 Answers to incumbents' notices.
- 321.23 Replies to answers to incumbents' notices.

#### Subpart D—Processing of Documents

- 321.30 Simultaneous filings.
- 321.31 Disposition of applications and incumbents' notices.
- 321.32 Successful applicant's failure to commence service.
- 321.33 Successful incumbent carrier's failure to begin service.
- 321.34 Drawing.

#### Subpart E—Interpretations of the Act's Unused Authority Provisions

- 321.40 "Commence service".
- 321.41 "Week" means calendar week.

AUTHORITY: Secs. 204, 401, and 1001 of the Federal Aviation Act of 1958, as amended by Pub. L. 95-504, 72 Stat. 743, 754, and 788, 92 Stat. 1713; (49 U.S.C. 1324, 1371, and 1481).

#### Subpart A—General

##### § 321.1 Applicability.

This part applies to applications for nonstop route authority where unused authority exists, filed under sections 401(d)(5)(A), (5)(B), (5)(D), and (5)(E), and to notices of incumbents' intent to begin service that are filed under section 401(d)(5)(G).

##### § 321.2 Conformity with Subpart A of Part 302.

Except where they are inconsistent with this part, the provisions of Subpart A of Part 302 of this chapter shall apply to proceedings under this part.

##### § 321.3 Definitions.

As used in this part:  
"Application" means an application for nonstop route authority, on the basis of unused authority, under sections 401(d)(5)(A), (5)(B), (5)(D), or (5)(E).

"Applicant" means a person who files an application under this part.

"Minimum level" and "minimum level of service" mean service, pursuant to published flight schedules, of at least five round-trips per week for at least 13 weeks during a 26-week period for year-round certificates (section 401(d)(5)(A) and (5)(D)), and service, pursuant to published flight schedules, of at least five round-trips per week for at least half the weeks of a season for seasonal certificates (section 401(d)(5)(B) and (5)(E)).

"Section 41(d)(5)" refers to the unused authority program of the Act, 49 U.S.C. 1371(d)(5).

##### § 321.4 Notices of inauguration and completion of 13 weeks of service.

(a) Every applicant that is awarded new authority and every carrier that files an incumbent's notice shall file a notice (1) within 7 days after inaugurating service between any pair of points covered by the award or incumbent's notice, and (2) within 7 days after completing 13 consecutive weeks of service of at least five nonstop round trips per week. However, if an incumbent's notice states that service has already begun, the incumbent need not give the inauguration notice required by paragraph (a)(1) of this section.

(b) Notices required by paragraph (a) of this section shall be titled "Notice of Inauguration of Service" or "Notice of Completion of 13 Weeks of Service" as applicable, indicating the subparagraph of section 401(d)(5) that governs the

market or markets involved. They shall identify the pairs of points between which service has been inaugurated or carried on for 13 weeks.

(c) Notices described in paragraph (a) of this section shall be filed in the Docket Section in five copies, marked for the attention of the Director, Bureau of Pricing and Domestic Aviation.

(d) A copy of each notice described in paragraph (a) of this section shall be served on the U.S. Postal Service Headquarters, Law Department, Transportation Division, Washington, D.C. 20260.

##### § 321.5 Environmental evaluations and energy information not required.

Notwithstanding any provision of Part 312 or Part 313 of this title, a person filing an application under this part is not required to file an environmental evaluation or energy information with the application.

##### § 321.6 No conflict with separation of functions rule.

Actions taken by the Bureau of Pricing and Domestic Aviation to administer section 401(d)(5) will not be considered as creating a conflict with the Board's separation of functions rule, § 300.4 of this chapter, in this or any other Board proceeding.

#### Subpart B—Applications for Unused Authority and Related Documents

##### § 321.10 General requirements for applications.

(a) Each application shall be titled "Application for Unused Authority under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs it.

(b) An application may request nonstop authority in more than one market. However, applications shall not include requests for authority under more than one subparagraph of section 401(d)(5).

(c) An application may be amended after filing at any time before it is granted or dismissed to eliminate markets or correct errors, but not to add markets. Markets to be eliminated shall be listed by line number from the original application and city or airport codes as set forth in § 321.11(a)(1). Corrections shall be shown by setting forth the entire line from the table described in § 321.11(a) or (b), as applicable, with the corrected items underlined. Any necessary explanation of the correction shall be included in text or footnotes.

(d) Applications and amendments of applications shall be served on:

(1) All air carriers named in the application in accordance with § 321.11(a)(3) or (4).



(2) The airport authority of each airport the applicant proposes to use.

(3) The mayor or other chief executive of each point named in the application.

(4) The Federal Aviation Administration.

§ 321.11 Contents of applications.

Each application shall:

(a) Include a table with a separate, numbered line for each pair of points between which the applicant seeks nonstop route authority. The lines shall be alphabetized by the points named in them. Each line shall include the following information, with the columns of the table labeled accordingly:

(1) *Market.* The pair of points as specified in the inactive carrier's certificate, with each point identified by the Official Airline Guide's 3-letter city code. Where the inactive carrier only has authority to serve a point through a named airport or an airport is named in the certificate as a separate, non-hyphenated point, this situation shall be shown by adding the 3-letter airport code for the airport in parenthesis after the city code. (EXAMPLES: "WAS(IAD)" for Washington, to be served through Dulles International Airport, "NYC(EWR)" for Newark designated as a separate point.) Where a point is hyphenated in all or substantially all carriers' certificates, its single 3-letter code shall be used. (EXAMPLE: "MSP" for Minneapolis-St. Paul.) At points that are sometimes hyphenated and sometimes listed separately in certificates, the authority of the inactive carrier or carriers shall be shown by listing the city codes of the hyphenated cities in the order shown in each inactive carrier's certificate. (EXAMPLE: "SFO/OAK/SJC" for San Francisco-Oakland-San Jose.)

(2) *Period or season.* The beginning and ending dates of the 26-week period

or season, as applicable, upon which the request for authority is based. If the dates differ for different inactive carriers, each set of dates shall be included. If a split period is relied on because of a strike, the computation shall be explained elsewhere in the application.

(3) *Active carriers.* The Official Airline Guide's 2-letter carrier code for each air carrier, certificated or not, that has provided the minimum level of service between the points during the period or season described in paragraph (a)(2) of this section.

(4) *Inactive carriers.* The Official Airline Guide's 2-letter carrier code for each air carrier having certificate authority to provide nonstop round-trip service between the points that has not provided the minimum level of service during the time described in paragraph (a)(2) of this section.

(5) *Inactive period.* For each carrier named in paragraph (a)(4) of this section, the beginning and ending dates of below-minimum service during the period or season described in paragraph (a)(2) upon which the request for authority is based.

(6) *Suspension requested.* For applications governed by section 401(d)(5)(A) only: Whether or not the applicant requests suspension of the unused authority of incumbent air carriers.

(b) Include a table that lists, for each pair of points named in the application, the Official Airline Guide pages covering service for the entire 26-week period or season upon which the request for authority is based. There shall be a separate line for service in each direction. The page citations shall be to successive monthly issues of the Official Airline Guide, using consistently the editions of the 1st or the 15th of the month. The table shall be in the format shown in the following fictitious example:

OAG EDITION OF—

	5/1/78	6/1/78	7/1/78	8/1/78	9/1/78	10/1/78	11/1/78
ATL-DEN	140	143-4	151	146	137	142	145
DEN-ATL	311	316	329	317-8	304	313	316

(c) Certify that the applicant's aircraft meet all applicable requirements established by the Secretary of Transportation for the carriage by aircraft of persons or property as a common carrier for compensation or hire or the carriage of mail by aircraft in commerce.

(d) For applicants not yet found by the Board to be fit, willing, and able to provide scheduled service: Describe the applicant's aircraft. The description shall consist of either a plan for obtaining aircraft, identified by type, that can be verified within 15 days by the Board's staff, or a list of aircraft

identified by FAA registration number.

(e) For applicants already found by the Board to be fit, willing, and able to provide scheduled service: Cite the most recent Board order establishing that finding and describe, in the manner set forth in paragraph (d) of this section, any aircraft acquired or to be acquired since that finding that the applicant intends to use in exercising the authority sought.

(f) Certify that the applicant will obtain any necessary operating authority from the Federal Aviation Administration in time to begin exercising the nonstop route authority sought under this part within the time set forth in subparagraph (H)(i) or (H)(ii) of section 401(d)(5), as applicable.

(g) Certify that the applicant is able to conform to the rules, regulations, and requirements of the Board promulgated pursuant to the Act.

§ 321.12 Additional requirements for applications that request suspension of unused route authority.

(a) If an applicant for authority under section 410(d)(5)(A) wants the Board to suspend the unused authority of incumbent carriers as set forth in section 401(d)(5)(J), its application shall at a minimum include, in addition to the information set forth in § 321.11, the following:

(1) Information specific to each pair of points showing why suspension is necessary to encourage continued service between those points by the applicant;

(2) A list, by filing date and points, of all other applications filed or to be filed on the same day and within the preceding 45 days; and

(3) A description of the aircraft that the applicant intends to use in exercising the authority sought in the current application and all applications filed or to be filed on the same day and within the preceding 45 days. The description shall consist of either a plan for obtaining aircraft, identified by type, that can be verified with 15 days by the Board's staff, or a list of aircraft identified by FAA registration number.

(b) If the Board grants an application that does not include the information set forth in paragraph (a) of this section, the Board will not suspend the unused authority of incumbent carriers.

§ 321.13 Answers to applications.

(a) Any person may file an answer to an application. If the application is governed by subparagraph (A) or (B)



of section 401(d)(5), the answer shall be filed within 7 calendar days after the application is filed. If the application is governed by subparagraph (D) or (E), the answer shall be filed within 14 days after the application is filed.

(b) Answers filed under this section shall be entitled "Answer to Application for Unused Route Authority under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the application.

(c) Each answer filed under this section shall include a table that, except as set forth in paragraph (d) of this section, repeats the lines included in the application in accordance with § 321.11(a) that are being answered. The items that the answer challenges in each line shall be underlined.

(d) The table required by paragraph (c) of this section shall also include the following three columns:

(1) After the column showing the market (§ 321.11(a)(1)): A column showing the applicant, identified by 2-letter carrier code.

(2) After the applicant column described in paragraph (d)(1) of this section: A column showing the docket number of application.

(3) After the last column: A column showing the type or types of objection that the answer raises, using the code numbers set out in paragraph (e) of this section. Each objection shall be explained to the extent necessary in the text of the answer.

(e) Objections shall be identified by the following code numbers:

(1) The application was filed under the wrong subparagraph of section 401(d)(5).

(2) The allegedly inactive carrier does not have certificate authority to provide nonstop service in the market.

(3) The allegedly inactive carrier has certificated nonstop authority, but did not have it throughout the 26-week period or season relied on.

(4) The authority of the allegedly inactive carrier has been suspended by the Board under section 401(g) of the Act, or under section 401(j) by an order that requires the carrier to obtain Board approval before resuming service.

(5) The 26-week period or season relied on includes more than 6 weeks of a labor dispute that interrupted the service of the allegedly inactive carrier.

(6) The authority in question was not unused because the allegedly inactive carrier served the point or points through at least one airport and was not required to serve through more than one airport.

(7) The allegedly inactive carrier in fact provided the minimum level of service.

(8) The unused authority relied on has already been the basis of an award that has not been revoked.

(9) For applications governed by section 401(d)(5)(D) or (5)(E) only: Award of the authority sought would not be consistent with the public convenience and necessity.

(0) Any other objection.

NOTE: This code is "0" and not "10."

(f) Answers filed under this section shall be served on the persons whose applications are being answered and on the persons listed in § 321.10(d).

#### § 321.14 Replies to answers to applications.

(a) Any person may file a reply to an answer to an application.

(b) Replies filed under this section shall be titled "Reply to Answer to Application for Unused Authority under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the application.

(c) For applications governed by subparagraph (A) or (B) of section 401(d)(5): Replies shall be filed within 10 calendar days after the application is filed, and will be considered by the Board only to the extent practicable.

(d) For applications governed by subparagraph (D) or (E) of section 401(d)(5):

(1) Replies shall be filed within 28 calendar days after the application is filed.

(2) If an answer alleges that grant of the application would be inconsistent with the public convenience and necessity, the applicant's reply shall at a minimum indicate, by frequency and equipment type, what service it will provide and what service (if any) it will discontinue to make aircraft available for the new service.

(e) Replies filed under this section shall be served on the person that filed the answer and on all persons who were required to be served with the answer.

#### § 321.15 Responses to replies.

(a) In the case of an application that is governed by subparagraph (D) or (E) of section 401(d)(5), any person may file a response to a reply filed under § 321.14.

(b) Responses shall be titled "Response to Application for Unused Authority under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the application.

(c) Responses shall be filed within 42 calendar days after the application is filed.

(d) Responses shall be served on the person that filed the reply and on all persons who were required to be served with the reply.

### Subpart C—Incumbent Carriers' Notices of Intent To Begin Service and Related Documents

#### § 321.20 General requirements for incumbent carriers' notices of intent to begin service.

(a) A carrier holding unused authority in a given market that intends to resume nonstop service such as to preclude a grant of authority to another carrier under section 401(d)(5) shall file a notice titled "Incumbent's Notice of Intent to Exercise Unused Authority under Subparagraph —," indicating the subparagraph of section 401(d)(5) [(A), (B), (D), or (E)] that governs the authority addressed by the notice (hereafter called "incumbent's notice").

(b) An incumbent's notice may address service in more than one market. However, notices shall not address authority covered by more than one subparagraph of section 401(d)(5).

(c) An incumbent's notice may be amended in the manner set forth in § 321.10(c) for applications at any time before the Board announces by order that it is successful.

(d) An incumbent's notice shall be served on those persons whom the incumbent would be required by § 321.10(d) to serve if it were an applicant for unused authority.

#### § 321.21 Contents of incumbent's notice.

Each incumbent's notice shall include a table with a separate, numbered line for each pair of points between which the carrier filing the notice intends to begin service within the time set forth in section 401(d)(5) (G)(i) or (G)(ii), as applicable. The lines shall be alphabetized by the points named in them. Each line shall include the following information:

(a) *Market.* The pair of points, identified as set forth in § 321.11(a)(1).

(b) *Period or season.* The beginning and ending dates of the 26-week period or season, as applicable, upon which the notice is based.

(c) *Date.* The date (not more than 30 days after the date of filing) on or before which the carrier intends to begin service between those points.

#### § 321.22 Answers to incumbent's notices.

(a) Any person may file an answer to an incumbent's notice. The answer shall be filed within the time set forth in § 321.13(a) for answers to applications.

(b) Answers filed under this section shall be titled "Answer to Incumbent's Notice under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the authority addressed by the notice.

(c) Each answer filed under this section shall include a table that repeats



the lines included in the notice in accordance with § 321.21 with the air carrier that filed the notice and the basis or bases for the objection to the notice listed at the end of each line. The filer of the notice shall be identified by 2-letter air carrier code. The objections shall be listed by the following 2-letter codes and explained to the extent necessary in the text of the answer:

(1) "NX": That the notice does not comply with the requirements of section 401(d)(5).

(2) "NE": That the filer of the notice has previously filed a similar notice in the same market.

(3) "NA": That a valid application for the filer's unused authority was filed before the notice.

(4) "NR": Any other objection.

(d) Answers filed under this section shall be served as if they were answers filed under § 321.13 to applications.

**§ 321.23 Replies to answers to incumbent's notices.**

(a) Any person may file a reply to an answer to an incumbent's notice. The reply shall be filed within the time set forth in § 321.14 (c) or (d), as applicable, for replies to answers to applications.

(b) Replies filed this section shall be titled "Reply to Answer to Incumbent's Notice under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the authority addressed by the notice.

(c) Replies filed under this section shall be served as if they were replies filed under § 321.14 to answers to applications.

**Subpart D—Processing of Documents**

**§ 321.30 Simultaneous filings.**

Applications and incumbents' notices that are filed on the same day will be considered essentially simultaneous. Each application and notice will be treated as a separate filing for each pair of points that it names. These filings will be treated for the purposes of section 401(d)(5) as if they were made in the order established in accordance with § 321.34.

**§ 321.31 Disposition of applications and incumbents' notices.**

For each pair of points named in a document filed under this part:

(a) If no air carrier had unused authority within the meaning of section 401(d)(5), the Board will deny all applications.

(b) If the earliest filed valid document that has not been amended to delete those points is an incumbent's notice, the Board will by order announce that the notice is successful and dismiss all applications for authority between those points.

(c) If the earliest filed valid document that has not been amended to delete those points is an application, the Board will dismiss all other applications for authority between those points and, except as set forth in paragraph (d) of this section, grant that application.

(d) If the application is governed by subparagraph (D) or (E) of section 401(d)(5) and the Board finds that issuance of a certificate is inconsistent with the public convenience and necessity, the Board will deny the application.

(e) Unsuccessful incumbents' notices will not be dismissed and may become successful as set forth in § 321.32(c).

(f) If more than one air carrier holds unused authority to provide round-trip nonstop service between those points, the Board will not dismiss any applications in accordance with paragraph (a) or (b) of this section until it has, with respect to each carrier holding unused authority, announced that a notice is successful, granted an application, or denied an application on the ground of inconsistency with the public convenience and necessity.

**§ 321.32 Successful applicant's failure to commence service.**

For each award to a person of new certificate authority between a pair of points under section 401(d)(5):

(a) Except as set forth in paragraphs (b) and (c) of this section, if that person does not "commence service" within the meaning of section 401(d)(5)(H) as defined in § 321.40, the Board will accept new applications for authority between those points on the first business day after the first day that the person is not in compliance with section 401(d)(5)(H).

(b) Except as set forth in paragraph (c) of this section, if that person, before being required by section 401(d)(5)(H) to "commence service" files and serves a "Relinquishment of Newly Awarded Authority" in the manner described in § 321.33(c) for retractions of incumbents' notices, the Board will accept new applications on the first business day after the day that the relinquishment is filed. All applications filed from the first through the fifth business day after the relinquishment is filed will be considered as if they were filed on the fifth business day.

(c) If, upon the noncompliance described in paragraph (a) of this section or the filing of a relinquishment described in paragraph (b), there is an outstanding valid incumbent's notice that has not been vitiated by the incumbent carrier's failure to exercise its unused authority, the Board will by order announce that the notice has become successful. Further unused au-

thority proceedings for the pair of points will be governed by § 321.33.

(d) If the Board accepts new applications in accordance with paragraph (a) or (b) of this section or announces in accordance with paragraph (c) that an outstanding incumbent's notice has become successful, it will revoke the previously awarded new certificate authority.

**§ 321.33 Successful incumbent carrier's failure to begin service.**

For each pair of points for which the Board has announced that an incumbent's notice is successful:

(a) Except as set forth in paragraphs (b) and (c) of this section, if the incumbent carrier does not begin and maintain service in accordance with section 401(d)(5)(G)(i) or (G)(ii), as applicable, the Board will accept new applications for authority between those points on the first business day after the first day that the incumbent is not in compliance with section 401(d)(5)(G).

(b) If the incumbent carrier, before it is required by section 401(d)(5)(G) to begin service, files a retraction in accordance with paragraph (c) of this section, the Board will accept new applications on the first business day after the day that the retraction is filed. All applications filed from the first through the fifth business day after the retraction is filed will be considered as if they were filed on the fifth business day.

(c) Air carriers that decide not to begin service in accordance with their successful notices are encouraged to file, in the same docket, a document titled "Retraction of Incumbent's Notice under Subparagraph —," indicating the subparagraph of section 401(d)(5) that governs the authority addressed by the notice. These documents shall:

(1) Identify the pair or pairs of points for which the notice is retracted;

(2) Identify the Board order announcing that the notices are successful; and

(3) Be served on all certificated air carriers and all persons required by § 321.20(d) to be served with incumbents' notices.

**§ 321.34 Drawing.**

(a) For each day on which one or more pairs of points receive essentially simultaneous filings, a drawing will be conducted for each such pair of points as follows: For each person who filed an application or incumbent's notice, a card bearing that person's name will be placed in an opaque container. The cards will be otherwise identical. The container will be covered and shaken thoroughly. A Board staff member will reach into the container and,



without being able to see the cards, draw them out successively until all have been drawn.

(b) The order in which the cards are drawn will be the order in which the documents are considered to have been filed.

(c) Drawings will take place on the first Wednesday after the day that the essentially simultaneous documents are filed, unless the filers of those documents are notified otherwise. It will be open to the public. Information about the time and location can be obtained from the Office of the Secretary, Civil Aeronautics Board.

(d) The drawing process will not interfere with the filing of answers in accordance with §§ 321.13 and 321.22. In general, questions about the validity of applications and incumbents' notices will be resolved after the drawing.

(e) If (1) there is a dispute about the precise date on which authority can be applied for or protected by an incumbent's notice, and (2) documents for that authority are filed on more than one day, then a separate drawing will be conducted for each day's documents. When the correct date is determined, filings before that date will be disregarded. The drawings for filings on and after that date, ordered by day of filing, will establish the order in which the documents are considered to have been filed.

#### Subpart E—Interpretations of the Act's Unused Authority Provisions

##### § 321.40 "Commence Service".

(a) The Board interprets the requirement of subparagraph (H)(i) of section 401(d)(5) that air carriers issued certificates under subparagraph (A) or (D) "commence service pursuant to such certificate within forty-five days of such issuance" as follows: Within 45 days after being granted authority, the air carrier shall begin service of at least five round-trips per week and shall continue to provide service of at least that level for 13 full calendar weeks. **EXCEPTION:** If the air carrier was granted authority before January 20, 1979, it shall begin to provide some service within 45 days, shall begin to provide service of at least five round-trips per week on or before March 4, 1979, and shall continue to provide service of at least that level for 13 full calendar weeks.

(b) The Board interprets the requirement of subparagraph (H)(ii) to "commence service pursuant to such [seasonal] certificate within fifteen days after the beginning of the first such season which begins on or after the date of such issuance" as follows: The air carrier shall begin to provide service within 15 days after the beginning of the season and provide a mini-

mum of five round-trips per week for the first half of the season.

##### § 321.41 "Week" means calendar week.

(a) Except as provided in paragraph (b) of this section, the Board considers the term "week", as used in this part and section 401(d)(5), to mean a 7-day period that begins on a Sunday and ends on the following Saturday.

(b) For the determination of 26-week periods or seasons that end before January 20, 1979, or the computation of inactive service within those intervals, the Board considers the term "week" to mean any 7-day period.

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,  
Secretary.

[FR Doc. 79-2339 Filed 1-22-79; 8:45 am]

#### [6750-01-M]

### Title 16—Commercial Practices

#### CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2947]

### PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

#### Advertising Checking Bureau, Inc.

AGENCY: Federal Trade Commission.

ACTION: Final order.

**SUMMARY:** In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, among other things, requires a New York City administrator and auditor of cooperative advertising programs to cease designing or implementing cooperative advertising programs for their client which limit or restrict the rights of dealers to obtain cooperative advertising allowances for merchandise they have advertised or sold at other than regular or suggested retail prices.

**DATES:** Complaint and order issued January 4, 1979.<sup>1</sup>

#### FOR FURTHER INFORMATION CONTACT:

William A. Arbitman, Director, 9R, San Francisco Regional Office, Federal Trade Commission, 450 Golden Gate Ave., San Francisco, Calif. 94102. (415) 566-1270.

**SUPPLEMENTARY INFORMATION:** On Tuesday, August 8, 1978, there was published in the *FEDERAL REGISTER*, 43 FR 35054, a proposed consent agreement with analysis in the Matter of The Advertising Checking Bureau,

<sup>1</sup>Copies of the Complaint and Decision and Order filed with the original document.

Inc., a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions, or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart-Combining or Conspiring: § 13.395 To control marketing practices and conditions; § 13.425 To enforce or bring about resale price maintenance; § 13.470 To restrain or monopolize trade. Subpart-Cutting Off Access To Customers Or Market: § 13.560 Interfering with distributive outlets. Subpart-Cutting Off Supplies Or Service: § 13.610 Cutting off supplies or service. Subpart-Maintaining Resale Prices: § 13.1145 Discrimination; § 13.1145-5 Against price cutters.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46). Interprets or applies sec. 5, 38 Stat. 719, as amended; (15 U.S.C. 45))

CAROL M. THOMAS,  
Secretary.

[FR Doc. 79-2303 Filed 1-22-79; 8:45 am]

#### [6750-01-M]

[Docket No. C-2944]

### PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

#### McDonnell Douglas Corp.

AGENCY: Federal Trade Commission.

ACTION: Final order.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, among other things, requires a St. Louis, Co., Mo., aircraft manufacturer and its subsidiaries to cease offering or making payments to influential foreign entities for the purpose of preventing competition in the sale of their aircraft abroad; and to keep adequate documentation for all payments, brokerage fees, commissions, or political campaign contributions paid to any one foreign party which total annually in excess of \$100,000. The firms would additionally be required to report to the Commission, within ten days, any corporate policy change which relates to foreign sales activities.



**DATES:** Complaint and order issued December 21, 1978.<sup>1</sup>

**FOR FURTHER INFORMATION CONTACT:**

FTC/C, Jaime Taronji, Jr., Washington, D.C., 20580. (202) 376-2894.

**SUPPLEMENTARY INFORMATION:**

On Monday, August 21, 1978, there was published in the *FEDERAL REGISTER*, 43 FR 36973, a proposed consent agreement with analysis in the Matter of McDonnell Douglas Corporation, a corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions, or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart-Combining or Conspiring: § 13.410 To eliminate competition in conspirators' goods; § 13.470 To restrain or monopolize trade. Subpart-Corrective Actions and/or Requirements: § 13.533 Corrective actions and/or requirements; § 13.533-45 Maintain records. Subpart-Discriminating In Price Under Section 2, Clayton Act—Payment Or Acceptance Of Commission, Brokerage Or Other Compensation Under 2(c); § 13.810 Buyers' corporate or other agent.

(Sec. 6.38 Stat. 721; 15 U.S.C. Interpret or apply sec. 5, 38 Stat. 719, as amended; Sec. 2, 49 Stat. 1526; (15 U.S.C. 45, 13).)

CAROL M. THOMAS,  
Secretary.

(FR Doc. 79-2321 Filed 1-22-79; 8:45 am)

[8010-01-M]

**Title 17—Commodity and Securities Exchanges**

**CHAPTER II—SECURITIES AND EXCHANGE COMMISSION**

[Release Nos. 33-6016; 34-15502; 35-20891; 39-522; IC-10563; and IA-6601]

**AGENCY RULES RELATING TO CERTAIN FORMAL REQUIREMENTS FOR FILING OF DOCUMENTS**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rules.

<sup>1</sup> Copies of the Complaint and the Decision and Order filed with the original document.

**SUMMARY:** The Commission is amending various rules under the federal securities laws to require that each page of all documents filed under those laws be numbered sequentially from the facing page of the filing form through the last page of that document, including any exhibits or attachments thereto. These amendments are designed to conform all filings received by the Commission to the requirements for implementation of the Commission's Micrographic Conversion Program.

**EFFECTIVE DATE:** March 9, 1979.

**FOR FURTHER INFORMATION CONTACT:**

Roderic L. Woodson, Special Counsel, Office of Reports and Information Services, Securities and Exchange Commission, Washington, D.C. 20549 (202-523-5530).

**SUPPLEMENTARY INFORMATION:**

The Securities and Exchange Commission today announced the adoption of certain amendments to Rule 403 (17 CFR 230.403) under the Securities Act of 1933 (15 U.S.C. 77a et seq.); Rule 240.0-3 (17 CFR 240.0-3) under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.); Rule 22 (17 CFR 250.22) under the Public Utility Holding Company Act of 1935 (15 U.S.C. 79 et seq.); Part 260 (17 CFR 260) under the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.); Rule 0-2 (17 CFR 270.0-2) under the Investment Company Act of 1940 (15 U.S.C. 80a et seq.); and Rule 0-4 (17 CFR 275.0-4) under the Investment Advisers Act of 1940 (15 U.S.C. 80b et seq.). The amendments are designed to conform all filings received by the Commission to the requirements for implementation of the Commission's Micrographic Conversion Program ("Micrographics Program" or "Program"). As developed, the Micrographics Program involves the conversion of all hard-copy filings received by the Commission under the Federal Securities laws to microform storage mediums. Upon completion of the Program, the Commission will maintain its official documents on film and dispose of all hard-copy documents after a period of time. In order to fully implement the Program, sequential page numbering of all documents filed is necessary to ensure the page and image verification procedures established under the Program. In the absence of an adequate verification procedure, the Commission's ability to authenticate documents in its possession may be substantially impaired. It should be noted, however, that the sequential numbering of filings required by these amendments are supplemental to internal numbering of any particular exhibit or attachment contained in a specific filing. The amendments re-

quire only the original document to be numbered sequentially. It is not necessary to number duplicate originals or conformed copies.

Although no particular numbering process is required, it will facilitate the implementation of the Micrographics Program if legible handwritten, typed, stamped, or printed sequential numbering systems are utilized. The insertion of pages with subnumbering systems (for example, pages 10a 10b, and 10c) should be avoided. The numbering in each filed document and the exhibits and attachments thereto need not correspond to the numbering in any subsequently filed document. Thus, for example, the numbering in a final prospectus need not be the same as that in a preliminary prospectus.

Prior public notice and comment are not required under the Administrative Procedure Act (5 U.S.C. 553) as these rules are amendments to the Commission's rules of procedure and practice. See, 5 U.S.C. 553(b)(A). However, because the nature of this rule-making will require some measure of preparation by registrants, the effective date of the rule will be postponed for a period of forty-five (45) days.

Accordingly, the Commission adopts the following amendments effective on March 9, 1979, pursuant to 15 U.S.C. 77s (48 Stat. 85); 15 U.S.C. 78w (48 Stat. 901); 15 U.S.C. 79c and 79t (49 Stat. 810, 833); 15 U.S.C. 77eee, 77ggg, 77nnn, 77sss (53 Stat. 1154, 1156, 1167, 1173); 15 U.S.C. 80w-37, 30c-39 (54 Stat. 841, 342); 15 U.S.C. 80b-3, 80b-4, 80b-11 (54 Stat. 850, 852, 855).

**TEXT OF AMENDMENTS**

**PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933**

Section 230.403 is amended by adding paragraph (d) to read as follows:

§ 230.403 Requirements as to paper, printing, and language.

\* \* \* \* \*

(d) The manually signed original (or in the case of duplicate originals, one duplicate original) of all registrations, applications, statements, reports, or other documents filed under the Securities Act of 1933, as amended, shall be numbered sequentially (in addition to any internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a num-



bered original shall be set forth on the first page of the document.

#### **PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934**

Section 240.0-3 is amended by designating the existing paragraph as (a) and adding paragraph (b) to read as follows:

§ 240.0-3 Filing of material with the Commission.

(a) All papers required to be filed with the Commission pursuant to the Act or the rules and regulations thereunder shall be filed at the principal office in Washington, D.C. Material may be filed by delivery to the Commission, through the mails or otherwise. The date on which papers are actually received by the Commission shall be the date of filing thereof if all of the requirements with respect to the filing have been complied with, except that if the last day on which papers can be accepted as timely filed falls on a Saturday, Sunday or holiday, such papers may be filed on the first business day following.

(b) The manually signed original (or in the case of duplicate originals, one duplicate original) of all registrations, applications, statements, reports, or other documents filed under the Securities Exchange Act of 1934, as amended, shall be numbered sequentially (in addition to any internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a numbered original shall be set forth on the first page of the document.

#### **PART 250—GENERAL RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935**

Section 250.22 is amended by adding paragraph (e) to read as follows:

§ 250.22 Applications and declarations.

(e) The manually signed original (or in the case of duplicate originals, one duplicate original) of all registrations, applications, statements, reports, or other documents filed under the Public Utility Holding Company Act of 1935, as amended, shall be numbered sequentially (in addition to any

internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a numbered original shall be set forth on the first page of the document.

#### **PART 260—GENERAL RULES AND REGULATIONS, TRUST INDENTURE ACT OF 1939**

Part 260 is amended by adding a new section to read as follows:

§ 260.0-4 Sequential numbering of documents filed with the Commission.

The manually signed original (or in the case of duplicate originals, one duplicate original) of all registrations, applications, statements, reports, or other documents filed under the Trust Indenture Act of 1939 shall be numbered sequentially (in addition to any internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a numbered original shall be set forth on the first page of the document.

#### **PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1970**

Section 270.0-2 is amended by adding paragraph (h) to read as follows:

§ 270.0-2 General requirements of papers and applications.

(h) The manually signed original (or in the case of duplicate originals, one duplicate original) of all registrations, applications, statements, reports, or other documents filed under the Investment Company Act of 1940, as amended, shall be numbered sequentially (in addition to any internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a numbered original shall be set forth on the first page of the document.

#### **PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940**

Section 275.0-4 is amended by adding paragraph (i) to read as follows:

§ 275.0-4 General requirements of papers and application.

(i) The manually signed original (or in the case of duplicate original) one duplicate originals of all registrations, applications, statements, reports, or other documents filed under the Investment Advisers Act of 1940, as amended, shall be numbered sequentially (in addition to any internal numbering which otherwise may be present) by handwritten, typed, printed, or other legible form of notation from the facing page of the document through the last page of that document and any exhibits or attachments thereto. Further, the total number of pages contained in a numbered original shall be set forth on the first page of the document.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

JANUARY 17, 1979.

[FR Doc. 79-2262 Filed 1-22-79; 8:45 am]

#### **[4510-30-M]**

##### **Title 20—Employees' Benefits**

#### **CHAPTER V—EMPLOYMENT AND TRAINING ADMINISTRATION, DEPARTMENT OF LABOR**

##### **PART 620—TEMPORARY HOUSING FOR AGRICULTURAL WORKERS**

##### **Extension of Cutoff Date for Housing Standards**

AGENCY: Employment and Training Administration, Labor.

ACTION: Final rule.

SUMMARY: The Department of Labor is amending its December 9, 1977 deletion of rules (42 FR 62133) by extending the January 1, 1979 cutoff date for the Employment and Training Administration (ETA) housing standards in 20 CFR Part 620. This extension will be in effect until the Department completes its related proposed rulemaking of September 1, 1978 (43 FR 39124) and will permit employers whose housing met the ETA standards at the time of their deletion to continue to follow those standards until a final rule is promulgated.



EFFECTIVE DATE: January 1, 1979.  
FOR FURTHER INFORMATION  
CONTACT:

Edward A. Scheopner, Division of  
Labor Certification, U.S. Department  
of Labor, 601 "D" Street, N.W.,  
Room 8408, Washington, D.C. 20213.  
Telephone: (202) 376-6525.

**SUPPLEMENTARY INFORMATION:**  
On December 9, 1977, at 42 FR 62133,  
the Employment and Training Admin-  
istration of the Department of Labor  
(ETA) rescinded its regulations at 20  
CFR Part 620 and adopted the tempo-  
rary housing standards of the Occupa-  
tional Safety and Health Administra-  
tion of the Department of Labor  
(OSHA) at 29 CFR 1910.142. The pur-  
pose of rescinding the ETA regula-  
tions was to achieve a single set of  
housing standards for all temporary  
housing. In the preamble at 42 FR  
62133 the Department explained that  
employers whose housing met ETA  
standards at the time of their deletion  
would be given until January 1, 1979  
to bring their housing into compliance  
with the OSHA standards.

The Department received a number  
of comments requesting clarification  
and extension of the cutoff provision.  
In response to these comments, on  
September 1, 1978, ETA published a  
notice of proposed rulemaking which  
would allow for the modified applica-  
tion of the ETA housing standards in  
20 CFR Part 620, past their January 1,  
1979 expiration date. 43 FR 39124.

ETA received a substantial number  
of comments on its September 1, 1978  
proposal which are currently under  
review in the process of reaching a  
final determination. It appears, how-  
ever, that a final rule will not be pro-  
mulgated prior to the January 1, 1979  
expiration date for the ETA stand-  
ards.

Accordingly, ETA hereby amends its  
final rule of December 9, 1977 by ex-  
tending the regulation's cutoff date  
beyond January 1, 1979. The Depart-  
ment of Labor will continue to main-  
tain the ETA standards, as currently  
applicable, until such time as the Sep-  
tember 1, 1978 rulemaking procedure  
is concluded and a final rule promul-  
gated.

In addition, notice is hereby given  
that ETA will maintain its current ad-  
ministrative practice of inspecting  
housing offered in interstate job  
orders for agricultural workers until  
such time as the September 1, 1978  
rulemaking procedure is concluded  
and a final rule promulgated.

Signed at Washington, D.C., this  
18th day of January 1979.

RAY MARSHALL,  
Secretary of Labor.

[FR Doc. 79-2344 Filed 1-22-79; 8:45 am]

[4310-02-M]

Title 25—Indians

**CHAPTER I—BUREAU OF INDIAN AF-  
FAIRS, DEPARTMENT OF THE INTE-  
RIOR**

**SUBCHAPTER F—ENROLLMENT**

**PART 41—PREPARATION OF ROLLS  
OF INDIANS**

**Qualifications for Enrollment and  
Deadline for filing**

JANUARY 10, 1979.

**AGENCY:** Bureau of Indian Affairs,  
Interior.

**ACTION:** Amendment to Final Rule.

**SUMMARY:** The deadline for filing  
applications for enrollment to share in  
the distribution of judgment funds to  
the Saginaw, Swan Creek and Black  
River Bands of Chippewa Indians is  
being extended to insure that interest-  
ed persons have adequate time in  
which to apply for enrollment.

**EFFECTIVE DATE:** January 23, 1979.

**FOR FURTHER INFORMATION  
CONTACT:**

Ms. Janet L. Parks, Chief, Branch of  
Tribal Enrollment Services, Bureau  
of Indian Affairs, 1951 Constitution  
Avenue, N.W., Washington, D.C.  
20245, telephone 703-235-8275.

**SUPPLEMENTARY INFORMATION:**  
On page 41388 of the September 18,  
1978, FEDERAL REGISTER there was pub-  
lished a notice of final rulemaking  
which amended Title 25 of the Code of  
Federal Regulations, Part 41, § 41.3 by  
adding a new paragraph (cc).

The amendment included in the reg-  
ulations requirements for enrollment  
and a deadline for applying for enroll-  
ment to share in funds derived from a  
judgment awarded the Saginaw, Swan  
Creek and Black River Bands of Chip-  
pewa Indians by the Indian Claims  
Commission. The period for filing ap-  
plications has been determined to be  
too short to insure that all interested  
persons have sufficient time in which  
to file applications. The deadline is,  
therefore, extended to April 1, 1979.

Since these regulations govern prep-  
aration of a roll to distribute judg-  
ment funds, the 30-day deferred effec-  
tive date would serve no purpose and  
waiver of the deferred effective date  
would be to the advantage of potential  
applicants. The 30-day deferred effec-  
tive date is dispensed with under the  
exception provided in subsection (d)(3)  
of 5 U.S.C. 553 (1970). Accordingly,  
this amendment will become effective  
January 23, 1979.

The Department of the Interior has  
determined that this document is not

a significant rule and does not require  
a regulatory analysis under Executive  
Order 12044 and 43 CFR Part 14.

No further changes are made in the  
text of Part 41.

The principal author of this amend-  
ment is Janet L. Parks, Bureau of  
Indian Affairs.

Section 41.3(cc)(3) of Subchapter F,  
Chapter I, Title 25 of the Code of Fed-  
eral Regulations is hereby amended to  
read as follows:

§ 41.3 Qualifications for enrollment and  
the deadline for filing.

\* \* \* \* \*

(cc) Saginaw, Swan Creek, and Black  
River Bands of Chippewa Indians.

\* \* \* \* \*

(3) Applications must be filed with  
the Superintendent, Michigan Agency,  
Bureau of Indian Affairs, P.O. Box  
884, Sault Ste. Marie, Michigan 49783,  
on forms provided for that purpose.  
Applications for enrollment must be  
received by the Superintendent no  
later than the close of business, April  
1, 1979.

FORREST J. GERRARD,  
Assistant Secretary—Indian Affairs.  
[FR Doc. 79-2343 Filed 1-22-79; 8:45 am]

[6570-06-M]

Title 29—Labor

**CHAPTER XIV—EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION**

**PART 1601—PROCEDURAL  
REGULATIONS**

**AGENCY:** Equal Employment Oppor-  
tunity Commission.

**ACTION:** Final Rule.

**SUMMARY:** On September 23, 1977,  
the Equal Employment Opportunity  
Commission published amendments to  
its procedural regulations (42 FR  
47828) to reflect a comprehensive reor-  
ganization of its enforcement proce-  
dures and on October 14, 1977, pub-  
lished amendments (42 FR 55388) ef-  
fectuating a reorganization of its  
headquarters offices. Subsequently, on  
July 18, 1978, the Commission amend-  
ed these regulations (43 FR 30798) to  
provide for more specific instructions  
for its Office of Systemic Programs.  
Thereafter, the Commission adopted a  
reorganization of its field offices ef-  
fective January 29, 1979. As a result  
of the field office reorganization, the  
Commission is further amending its  
procedural regulations.

**EFFECTIVE DATE:** January 29, 1979.



# FOR FURTHER INFORMATION CONTACT:

Constance L. Dupre, Associate General Counsel, Legal Counsel Division, Office of the General Counsel, EEOC, 2401 E Street, N.W., Washington, D.C. 20506, (202) 634-6595.

## SUPPLEMENTARY INFORMATION:

On July 20, 1977, the Equal Employment Opportunity Commission adopted a resolution revising its overall programs to improve its capacity to carry out the mission of the agency. Proposed procedural regulations were published on August 19, 1977, (42 FR 42022) explaining the changes the Commission sought to accomplish in its enforcement procedures. Those proposed regulations were adopted in final form on September 22, 1977, (42 FR 47828) and have been amended on two occasions, as noted above.

As the final step in the implementation of the Commission's July 20, 1977, resolution, the Commission adopted a comprehensive reorganization of its field office structure effective January 29, 1979. The major features of the new field office structure are the establishment of 22 full-service district offices and 37 area offices, which will serve as sub-units of the district offices, and the abolition of the 7 regional offices of the Commission and the 5 regional offices of the General Counsel. Programmatically, the 22 full-service district offices will perform the functions previously performed by regional offices of General Counsel, regional offices of the Commission and district offices. The major features of the charge-processing system of the new district offices are contained in the resolution adopted by the Commission on July 20, 1977, and published as Appendix A to the proposed procedural regulations on August 19, 1977 (42 FR 42022, 42034).

In September 1977, the Commission established three model district offices in Baltimore, Chicago and Dallas (42 FR 47863). At this time the Commission is eliminating the model district office/district office distinction and based on the experience of the model offices, is now establishing 22 full-service district offices and 37 area offices, which will serve as subunits of the district offices, as listed below:

1. The Atlanta District Office; the Greenville and Savannah Area Offices.
2. The Baltimore District Office; the Norfolk, Richmond and Washington, D.C. Area Offices.
3. The Birmingham District Office; the Jackson and Mobile Area Offices.
4. The Charlotte District Office; the Greensboro and Raleigh Area Offices.
5. The Chicago District Office.
6. The Cleveland District Office; the Cincinnati, Columbus, Dayton and Toledo Area Offices.
7. The Dallas District Office; the El Paso, Oklahoma City and Tulsa Area Offices.

8. The Denver District Office.
9. The Detroit District Office.
10. The Houston District Office; the San Antonio Area Office.
11. The Indianapolis District Office.
12. The Los Angeles District Office; the Bakersfield, Long Beach and San Diego Area Offices.
13. The Memphis District Office; the Louisville and Nashville Area Offices.
14. The Miami District Office; the Jacksonville and Tampa Area Offices.
15. The Milwaukee District Office; the Minneapolis Area Office.
16. The New Orleans District Office; the Little Rock Area Office.
17. The New York District Office; the Boston, Buffalo and Newark Area Offices.
18. The Philadelphia District Office; the Pittsburgh and Trenton Area Offices.
19. The Phoenix District Office; the Albuquerque Area Office.
20. The St. Louis District Office; the Kansas City Area Office.
21. The San Francisco District Office; the Fresno, Oakland, Sacramento and San Jose Area Offices.
22. The Seattle District Office.

The delegations of authority to the General Counsel to process charges under Section 707 of Title VII in Subpart G of this Part (§§ 1601.50 through 1601.59) are rescinded. In the future, 707 charges will be processed under the procedures set forth in Subpart B of this Part by the Office of Systemic Programs and the systemic units in the district offices.

Section 1601.5 is amended to reflect the supervisory structure among headquarters, district and area offices and to delineate the supervisory authority of the superior over the subordinate.

Delegations of authority to area directors are included in §§ 1601.10, 1601.14, 1601.19(g), 1601.20 and 1601.28(a) (2) and (c) in order to provide for the efficient processing of charges by area offices and to inform the public of the authority to be exercised at the area office level. Section 1601.8 is amended to substitute area offices for regional offices as appropriate places where charges can be filed.

The reference to directors of model offices in § 1601.16(b) is changed to district directors since all district directors will make the initial determination on a petition to revoke or modify a subpoena.

Previous printing errors in §§ 1601.2 and 1601.34 are corrected. In § 1601.2 region should have been religion. The section number for § 1601.34 was incorrectly printed as § 1601.134.

These regulations have been reviewed in accordance with Executive Order 12044. These regulations are not "substantial regulations" under section 2(e) of that Order nor do they require regulatory analysis under section 3 of that Order.

By virtue of the authority vested in the Commission under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, the Equal Employ-

ment Opportunity Commission hereby publishes the following amendments to its procedural regulations, to be effective January 29, 1979.

Signed at Washington, D.C. this 18th day of January, 1979. For the Commission.

ELEANOR HOLMES NORTON,  
Chair.

## §§ 1601.50—1601.59 [Revoked]

1. Subpart G of this Part 1601, 29 CFR 1601.50 through 29 CFR 1601.59, is hereby rescinded.

2. 29 CFR 1601.2 is revised to read as follows:

§ 1601.2 Terms defined in Title VII of the Civil Rights Act of 1964, as amended.

The terms "person," "employer," "employment agency," "labor organization," "employee," "commerce," "industry affecting commerce," "State" and "religion" as used herein shall have the meanings set forth in section 701 of Title VII of the Civil Rights Act of 1964, as amended.

3. 29 CFR 1601.5 is revised to read as follows.

§ 1601.5 District; area; supervisory authority.

The term "district" as used herein shall mean that part of the United States or any territory thereof fixed by the Commission as a particular district. The term "district director" shall refer to that person designated as the Commission's chief officer in each district. The term "area" shall mean that part of the United States within a district fixed by the Commission as a particular sub-unit of a district. The term "area director" shall refer to that person designated as the Commission's chief officer in each area. Each district office will operate under the supervision of the Executive Director, through the Director of the Office of Field Services, and the General Counsel. Each area office will operate under the supervision of the district director. Any or all delegations, or actions taken, as provided by this Part may be revoked and/or exercised by the supervisor in keeping with the supervisory structure described in this section.

4. 29 CFR 1601.8 is revised to read as follows:

§ 1601.8 Where to make a charge.

A charge may be made in person or by mail at the offices of the Commission in Washington, D.C., or any of its district or area offices or with any designated representative of the Commission. The addresses of the Commission's district offices appear in § 1601.4.

5. 29 CFR 1601.10 is revised to read as follows:



§ 1601.10 Withdrawal of a charge by a person claiming to be aggrieved.

A charge filed by or on behalf of a person claiming to be aggrieved may be withdrawn only by the person claiming to be aggrieved and only with the consent of the Commission. The Commission hereby delegates authority to District Directors, Area Directors, the Director of the Office of Field Services and the Director of the Office of Systemic Programs, or their designees, to grant consent to a request to withdraw a charge, other than a Commissioner charge, where the withdrawal of the charge will not defeat the purposes of Title VII.

6. 29 CFR 1601.14 is revised to read as follows:

§ 1601.14 Service of charge or notice of charge.

(a) Within ten days after the filing of a charge in the appropriate Commission office, the Commission shall serve respondent a copy of the charge, by mail or in person, except when it is determined that providing a copy of the charge would impede the law enforcement functions of the Commission. Where a copy of the charge is not provided, the respondent will be served with a notice of the charge within ten days after the filing of the charge (including the date, place, circumstances and identity of the person filing the charge, or, in the case of a charge filed on behalf of any individual, the identity of the person or organization so filing).

(b) The District Directors, the Area Directors, the Director of the Office of Field Services and the Director of the Office of Systemic Programs, or their designees, are hereby delegated the authority to issue the notice described in paragraph (a) of this section.

7. 29 CFR 1601.16(b) is revised to read as follows:

§ 1601.16 Access to and production of evidence; testimony of witnesses; procedure and authority.

(b) Any person served with a subpoena who intends not to comply therewith shall within five days (excluding Saturdays, Sundays and Federal legal holidays) after the date of service of the subpoena upon him or her, petition the General Counsel by mail to revoke or modify the subpoena. Such petition shall be mailed to 2401 E Street, N.W., Washington, D.C. 20506, and a copy thereof shall be served on the person who issued the subpoena. The petition shall separately identify each portion of the subpoena with which the petitioner does not intend to comply and shall state, with respect to each such portion, the grounds upon which the petitioner relies. A

copy of the subpoena shall be attached to the petition and shall be designated "Attachment A." Within 8 days after receipt thereof or as soon thereafter as practicable, the General Counsel shall make a determination upon the petition, stating reasons, and shall submit the petition and determination to the Commission for its review. The Commission shall review the petition and make a final determination. A Commissioner who has issued a subpoena shall abstain from reviewing any petition to modify or revoke the subpoena. The Commission shall serve a copy of the final determination of the petition upon the petitioner. For purposes of this section, service shall be made and proof thereof established pursuant to section 11(4) of the National Labor Relations Act, as amended, 29 U.S.C. 161(4), as made applicable to Commission hearings and investigations by section 710 of Title VII: Provided, however, that, whenever the subpoena was issued by a District Director or the Director of the Office of Systemic Programs, the petition to revoke or modify the subpoena shall be mailed to the Director, within the 5 day period specified above, who will make a determination on the petition. Any petitioner who wishes to appeal the determination of the Director shall do so by following the standard procedures specified above. Such appeal shall, in addition, be clearly labeled as "Appeal of Petition to Revoke or Modify Subpoena," and shall attach the initial petition and determination, designated as "Attachments B and C." No argument not presented to the District Director or the Director of the Office of Systemic Programs will be considered by the Commission.

8. 29 CFR 1601.19(g) is revised to read as follows:

§ 1601.19 Dismissal: Procedure and authority.

(g) The Commission hereby delegates authority to District Directors, the Director of the Office of Field Services and the Director of the Office of Systemic Programs, as appropriate, to dismiss charges, as limited by § 1601.21(d). The Commission hereby delegates authority to Area Directors to dismiss charges pursuant to paragraphs (a), (c), and (d) of this section, as limited by § 1601.21(d). The authority of the Commission to reconsider decisions and determinations as set forth in § 1601.21 (b) and (d) shall be applicable to this section.

9. 29 CFR 1601.20 is revised to read as follows:

§ 1601.20 Negotiated settlement.

(a) Prior to the issuance of a determination as to reasonable cause the Commission may encourage the parties to settle the charge on terms that are mutually agreeable. District Directors, Area Directors, the Director of the Office of Field Services and the Director of the Office of Systemic Programs, or their designees, shall have the authority to sign any settlement agreement which is agreeable to both parties. The Commission shall limit its undertaking in such settlements to an agreement not to process that charge further. Such settlements shall note that the Commission has made no judgment on the merits of the charge. Such an agreement shall not affect the processing of any other charge, including, but not limited to, a Commissioner charge or a charge the allegations of which are like or related to the individual allegations settled.

(b) In the alternative, the Commission may facilitate a settlement between the person claiming to be aggrieved and the respondent by permitting withdrawal of the charge pursuant to § 1601.10.

10. 29 CFR 1601.28(a)(2) and (c) are revised to read as follows:

§ 1601.28 Notice of right to sue: Procedure and authority.

(a) \* \* \*

(2) When a person claiming to be aggrieved requests, in writing, that a notice of right to sue be issued, and the charge to which the request relates is filed against a respondent other than a government, governmental agency or political subdivision, the Commission may issue such notice as described in § 1601.28(e) with copies to all parties, at any time prior to the expiration of 180 days from the date of filing the charge with the Commission; provided, that the District Director, the Area Director, the Director of the Office of Field Services or the Director of the Office of Systemic Programs has determined that it is probable that the Commission will be unable to complete its administrative processing of the charge within 180 days from the filing of the charge and has attached a written certificate to that effect.

(c) The Commission hereby delegates authority to District Directors, Area Directors, the Director of the Office of Field Services and the Director of the Office of Systemic Programs, or their designees, to issue notices of right to sue, in accordance with this section, on behalf of the Commission.<sup>1</sup>

<sup>1</sup> Formal Ratification-Notice is hereby given that the EEOC at a Commission meeting.

Footnotes continued on next page



11. 29 CFR 1601.34 is revised to read as follows:

§ 1601.34 Rules to be liberally construed.

These rules and regulations shall be liberally construed to effectuate the purpose and provisions of Title VII.

[FR Doc. 79-2318 Filed 1-22-79; 8:45 am]

[4810-35-190]

**Title 31—Money and Finance:  
Treasury**

**CHAPTER II—FISCAL SERVICE,  
DEPARTMENT OF THE TREASURY**

**PART 215—WITHHOLDING OF DIS-  
TRICT OF COLUMBIA, STATE, CITY  
AND COUNTY INCOME OR EM-  
PLOYMENT TAXES BY FEDERAL  
AGENCIES**

**Amendments to City and County Tax  
Withholding Agreements**

AGENCY: Fiscal Service, Treasury.

ACTION: Final Rule: Amendments.

SUMMARY: The Fiscal Service amends its regulations relating to withholding by Federal agencies of certain taxes of Federal employees. Recent legislation provides for the application of a city or county tax withholding agreement to Federal employees who are subject to the tax and are residents of the city or county, but are employed outside the city or county. The legislation prohibits mandatory withholding for Federal employees whose regular place of employment is not within the State in which the taxing city or county is located, unless the employee specifically consents to the withholding. This document amends the standard agreement provisions to implement the recent legislation.

EFFECTIVE DATE: December 14, 1978.

**FOR FURTHER INFORMATION  
CONTACT:**

Mrs. Paula Pickens, Government Accounting Systems Staff, Bureau of Government Financial Operations, Room 412, Annex No. 1, Department of the Treasury, Washington, D.C. 20226. (202-566-8374).

**SUPPLEMENTARY INFORMATION:** Because these amendments merely reflect changes in the law, they do not

require prior notice or public comment. This document does not meet Treasury's criteria for a significant regulation.

AUTHORITY: Pub. L. 95-365, 92 Stat. 599 (5 U.S.C. 5520).

Accordingly, 31 CFR 215 is amended by revising Subpart C—Standard Agreement as follows:

In 31 CFR 215.8 paragraph (b) is revised to read as follows:

§ 215.8 Compliance by agencies.

(b) In the case of an agreement with a city or county, the head of each agency is required to withhold city or county income or employment taxes from the compensation of any employee of the agency who is subject to the tax, and

(1) Whose regular place of Federal employment is within the city or county, or

(2) Is a resident of the city or county.

In 31 CFR 215.12 paragraph (d) is revised to read as follows:

§ 215.12 Miscellaneous provisions.

Nothing in this agreement shall be deemed:

(d) To permit withholding of a city or county tax from the pay of a Federal employee who is not a resident of, or whose regular place of Federal employment is not within, the State in which the city or county is located, unless the employee consents to the withholding, or

These amendments are effective December 14, 1978.

Issued in Washington, D.C., January 15, 1979.

D. A. PAGLIAI,  
Commissioner.

[FR Doc. 79-2069 Filed 1-22-79; 8:45 am]

[3810-70-M]

**Title 32—National Defense**

**CHAPTER I—OFFICE OF THE  
SECRETARY OF DEFENSE**

**SUBCHAPTER R—CHARTERS**

[DoD Directive 3030.11]

**PART 365—OFFICE OF ECONOMIC  
ADJUSTMENT**

AGENCY: Office of the Secretary of Defense.

ACTION: Final Rule—DoD Charter Directive 3030.1<sup>1</sup>

SUMMARY: The Secretary of Defense has assigned functions and responsibilities to the Office of Economic Adjustment (OEA), and has delegated specific authorities. This Directive serves as the instrument that authorizes the OEA to carry out the charter.

EFFECTIVE DATE: November 29, 1978.

**FOR FURTHER INFORMATION  
CONTACT:**

Mr. Howard G. Becker, Office of the Director for Organizational & Management Planning, Office of the Deputy Assistant Secretary of Defense (Administration), Washington, D.C. 20301, Telephone 202-697-0709.

**SUPPLEMENTARY INFORMATION:** This information is submitted in compliance with the requirements of section 552(a)(1) of Title 5, United States Code, and Recommendation 76-2 of the Administrative Conference of the United States.

Accordingly, 32 CFR, Chapter I, is amended by adding a new Part 365, reading as follows:

**PART 365—OFFICE OF ECONOMIC  
ADJUSTMENT**

Sec.

- 365.1 Purpose.
- 365.2 Mission.
- 365.3 Organization and Management.
- 365.4 Responsibilities and Functions.
- 365.5 Relationships.
- 365.6 Authority.
- 365.7 Administration.
- 365.8 Delegation of Authorities.

AUTHORITY: The provisions of this Part 365 are issued under 10 U.S.C. Chapter 4.

§ 365.1 Purpose.

(a) Pursuant to the authority vested in the Secretary of Defense under the provisions of title 10, United States Code, this Part establishes the Office of Economic Adjustment (hereafter referred to as the "OEA") with responsibilities, functions, authorities, and relationships as stated below.

(b) "Economic Adjustment" as used in this Part refers to responsibilities of the Secretary of Defense under Execu-

<sup>1</sup>Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA. 19120 Attention: Code 301.

Footnotes continued from last page  
ing on March 12, 1974, formally ratified the acts of the District Directors of EEOC District Offices in issuing notices of right to sue pursuant to Commission practice instituted on October 15, 1969, and continued through March 18, 1974. 39 FR 10178 (March 18, 1974).



tive Order 12049, "Defense Economic Adjustment Programs," March 27, 1978, and related responsibilities stated in DoD Directive 5410.12, "Economic Adjustment Assistance to Defense-Impacted Communities," April 21, 1973.

§ 365.2 Mission.

The OEA shall:

(a) Plan, direct, coordinate, and manage economic adjustment programs to alleviate serious social and economic impacts that may result from major changes in DoD activities.

(b) In cooperation with DoD Components, identify proposed changes that could result in adverse local impacts, and encourage local officials to initiate early economic adjustment planning on a contingency basis.

(c) Upon request, and in coordination with appropriate local, State and Federal agencies, assist community officials to develop and implement feasible adjustment plans that will alleviate the impact of DoD actions.

(d) Support the Secretary of Defense as chairperson of the Economic Adjustment Committee (EAC), Executive Order 12049, and serve as the permanent staff for the community assistance activities of the EAC. In this capacity, arrange meetings, conduct studies, develop recommendations, prepare reports, and initiate other appropriate staff actions.

§ 365.3 Organization and management.

(a) The OEA is established as a field activity of the Office of the Secretary of Defense, under the authority, direction and control of the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (hereafter referred to as the "ASD(MRA&L)"). It shall consist of a Director and subordinate organizational elements established by the Director within resources authorized by the Secretary of Defense.

(b) The Director, OEA, is also designated as the Assistant to the ASD(MRA&L) for Economic Adjustment, and as Executive Director of the Economic Adjustment Committee.

§ 365.4 Responsibilities and functions.

(a) The Director, OEA, shall:

(1) Serve as the principal staff adviser to the ASD(MRA&L) on economic adjustment program matters.

(2) Organize, direct, and manage the OEA and all resources assigned to the OEA.

(3) Design, establish, and manage a Defense Economic Adjustment Program to achieve the objectives and implement the provisions of Executive Order 12049 and DoD Directive 5410.12, "Economic Adjustment Assistance to Defense-Impacted Communities," April 21, 1973.

(4) Monitor program change activities of DoD Components and, as required, assist in the evaluation of possible impacts and the identification of adjustment actions that could alleviate such impacts.

(5) Develop and recommend strategies and action plans to lessen serious local impacts of DoD realignments, e.g., base closures, conversion of in-house activities to contract, major personnel reductions, and procurement cutbacks.

(6) Provide information and advice regarding the Economic Adjustment Program and the resources available to meet community economic adjustment needs.

(7) Plan, organize, coordinate, and administer economic adjustment assistance projects for communities, areas, and States adversely affected by DoD realignment actions.

(8) Assist local communities, areas, or States in expanding public service facilities to meet requirements generated by major expansions or the establishment of new DoD installations.

(9) Provide technical advice and assistance to Defense-dependent communities in efforts to diversify their economic base, reduce their vulnerability to change, and minimize the possible impact of future cutbacks.

(10) Evaluate DoD Economic Adjustment Program effectiveness.

(11) Develop, propose, and implement program improvements.

(12) Perform such other economic adjustment functions as may be assigned by the ASD(MRA&L).

(b) The ASD(MRA&L) shall:

(1) Recommend to the Secretary of Defense policies for the administration of economic adjustment programs.

(2) Provide policy guidance and management direction to the Director, OEA.

§ 365.5 Relationships.

(a) In the performance of assigned functions, the Director, OEA, shall:

(1) Establish and maintain effective liaison with DoD Components (and, after appropriate notification, with subordinate commands and installations, as required) for the timely exchange of information, and the coordination of realignments and economic adjustment plans and actions.

(2) Establish and maintain effective liaison with Federal domestic agency members of the EAC at headquarters and regional levels for timely exchange of information and the development, coordination, and support of economic adjustment assistance plans and actions.

(3) Use established facilities and services in the DoD and other governmental agencies whenever practical to

achieve maximum efficiency and economy.

(b) Heads of DoD Components shall provide timely information and technical support to the Director, OEA, on matters within their respective fields of responsibilities and as may be necessary to carry out effectively the assigned responsibilities and functions of OEA.

§ 365.6 Authority.

The Director, OEA, is specifically authorized to:

(a) Obtain such information, advice, and assistance from other DoD Components as considered necessary, consistent with the policies and criteria of DoD Directive 5000.19, "Policies for the Management and Control of Information Requirements," March 12, 1976.

(b) Communicate directly with appropriate personnel in the Military Departments and other DoD Components on matters related to OEA responsibilities and functions.

(c) Exercise the administrative authorities contained in § 365.8 of the Part.

§ 365.7 Administration.

(a) The Director, OEA, shall be designated by the ASD(MRA&L).

(b) The OEA shall be authorized such personnel, facilities, funds, and other administrative support as the Secretary of Defense considers necessary.

(c) The Secretaries of Military Departments shall assign military personnel to the OEA within approved authorizations, and in accordance with established procedures for assignment to joint duty.

(d) Administrative support required for the OEA will be provided, through support and service agreements, by other DoD Components.

§ 365.8 Delegation of authorities.

Pursuant to the authority vested in the Secretary of Defense, and subject to his/her direction, authority and control, and in accordance with DoD policies, directives and instructions, the Director, OEA, or, in the absence of the Director, the person acting for him/her, is hereby delegated authority, as required in the administration and operation of OEA, to:

(a) Perform the following functions in accordance with the provisions of 5 U.S.C. 7532 (1976); Executive Order 10450, as amended, 3 CFR 936 (1949-1953 Compilation), reprinted at 5 U.S.C. 7311 (1976); and the DoD Directive 5210.7, "Department of Defense Civilian Applicant and Employee Security Program," September 2, 1966:

(1) Designate any position in OEA as a "sensitive" position;



(2) Authorize, in case of an emergency, the appointment of a person to a sensitive position in OEA for a limited period of time for whom a full field investigation or other appropriate investigation, including the National Security Check, has not been completed; and

(3) Authorize the suspension, but not including termination of the services of an employee in the interest of national security in positions within OEA.

(b) Authorize and approve overtime work for OEA civilian employees in accordance with the provisions of the Federal Personnel Manual Supplement 990-1, § 550.111 (5 CFR 550.111 (1978)).

(c) Develop, establish and maintain an active and continuing Records Management Program, pursuant to 44 U.S.C.A. 3102 (Supp. 1978).

(d) Authorize the publication of advertisements, notices, or proposals in public periodicals, as required for the effective administration of OEA pursuant to 44 U.S.C. 3702 (1970).

(e) Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of regulations, instructions and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD Directive 5205.1, "Department of Defense Directives System," November 18, 1977.

(f) In coordination with the DASD (Administration), enter into support and services agreements with the Military Departments, other DoD Components or other Government agencies, as required for the effective and efficient performance of responsibilities and functions assigned to OEA.

(g) Enter into and administer contracts through the DASD (Administration) or with his/her approval, directly or through a Military Department, a DoD contract administration services component, or other Government department or agency, as appropriate, for supplies, equipment and services required to accomplish the mission of OEA. To the extent that any law or executive order specifically limits the exercise of such authority to persons at the Secretarial level of a Military Department, such authority will be exercised by the appropriate Under Secretary or Assistant Secretary of Defense.

The Director, OEA, may redelegate these authorities, as appropriate and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

This delegation of authorities is effective immediately.

MAURICE W. ROCHE,  
Director, Correspondence and  
Directives, Washington Headquarters Services, Department  
of Defense.

JANUARY 18, 1979.

[FR Doc. 79-2271 Filed 1-22-79; 8:45 am]

#### [6560-01-M]

#### Title 40—Protection of Environment

#### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

#### PART 65—DELAYED COMPLIANCE ORDERS

#### Delayed Compliance Order for Cleveland Electric Illuminating Co., Eastlake, Ashtabula, Avon Lake and Cleveland, Ohio

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final Rule.

SUMMARY: By this rule, the Administrator of U.S. EPA issues a Delayed Compliance Order to Cleveland Electric Illuminating Company (CEI). The Order requires the Company to bring air emissions from many of its fossil fuel-fired steam generating units at its Eastlake, Ashtabula, Avon Lake and Cleveland (Lake Shore) plants into compliance with certain regulations contained in the federally approved Ohio State Implementation Plan (SIP). CEI's compliance with the Order will preclude suits under the Federal enforcement and citizen suit provisions of the Clean Air Act for violations of the SIP regulations covered in the Order.

DATES: This rule takes effect January 23, 1979.

#### FOR FURTHER INFORMATION CONTACT:

Peter Kelly, Attorney, United States Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone (312) 353-2082.

SUPPLEMENTARY INFORMATION: On August 14, 1978, the Acting Regional Administrator of U.S. EPA's Region V Office published in the FEDERAL REGISTER (43 FR 35960) a notice setting out the provisions of a proposed Federal Delayed Compliance Order for CEI. The notice asked for public comments and offered the opportunity to request a public hearing on the proposed Order. A public hearing was held on September 8, 1978, at Cleveland, Ohio.

Therefore, a Delayed Compliance Order effective this date is issued to

CEI by the Administrator of U.S. EPA pursuant to the authority of Section 113(d)(1) of the Clean Air Act, 42 U.S.C. 7413(d)(1). The Order places CEI on a schedule to bring several of its fossil fuel-fired steam generating units at its Eastlake, Ashtabula, Avon Lake and Cleveland, Ohio, plants into compliance as expeditiously as practicable with Regulations AP-3-07 and AP-3-11, a part of the federally approved Ohio State Implementation Plan. CEI is unable to immediately comply with these regulations. The Order also imposes interim requirements which meet Sections 113(d)(1)(C) and 113(d)(7) of the Act, and emission monitoring and reporting requirements. If the conditions of the Order are met, it will permit CEI to delay compliance with the SIP regulations covered by the Order until April 15, 1980.

Compliance with the Order by CEI will preclude Federal enforcement action under Section 113 of the Act for violations of the SIP regulations covered by the Order. Citizen suits under Section 304 of the Act to enforce against the source are similarly precluded. Enforcement may be initiated, however, for violations of the terms of the Order, and for violations of the regulations covered by the Order which occurred before the Order was issued by U.S. EPA or after the Order is terminated. If the Administrator determines that CEI is in violation of a requirement contained in the Order, one or more of the actions required by Section 113(d)(9) of the Act will be initiated. Publication of this notice of final rulemaking constitutes final Agency action for the purposes of judicial review under Section 307(b) of the Act.

U.S. EPA has determined that the Order shall be effective upon publication of this notice because of the need to immediately place CEI on a schedule for compliance with the Ohio State Implementation Plan.

(42 U.S.C. 7413(d), 7601)

Dated: January 17, 1979.

DOUGLAS M. COSTLE,  
Administrator.

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 65—DELAYED COMPLIANCE ORDERS

I. By amending § 65.400 to read as follows:

§ 65.400 Federal Delayed Compliance Orders issued under Section 113(d)(1), (3), and (4) of the Act.



Source	Location	Order No.	Date or FR Proposal	SIP Regulation Involved	Final Compliance Date
Cleveland Electric Illuminating Company.	Eastlake, Ohio ....	EPA-5-79-A-9.....	Aug. 14, 1978.	AP-3-11 .....	Apr. 15, 1980
	Ashtabula, Ohio.	EPA-5-79-A-10...		AP-3-07 .....	
	Avon Lake, Ohio.	EPA-5-79-A-11...			
	Cleveland, Ohio..	EPA-5-79-A-12...			

[FR Doc. 79-2342 Filed 1-22-79; 8:45 am]

[6712-01]

**Title 47—Telecommunication**

**CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION**

[Gen. Docket No. 78-290; FCC 79-3]

**PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES**

**Implementing changes in the Technical Regulations annexed to the Agreement between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973**

AGENCY: Federal Communications Commission.

ACTION: Final Order.

SUMMARY: The FCC is amending its regulations on the 1973 agreement between the United States and Canada concerning the Promotion of Safety on the Great Lakes by Means of Radio, to implement amendments to the technical regulations which are annexed to the Agreement.

EFFECTIVE DATE: February 1, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**

Nicholas G. Bagnato, Safety and Special Radio Services Bureau (202-632-7197).

**SUPPLEMENTARY INFORMATION:** Report and Order (Proceeding Terminated). In the Matter of Amendment of Part 83 of the rules to implement changes in the Technical Regulations annexed to the Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973; Gen Docket No. 78-290.

Adopted: January 8, 1979.

Released: January 18, 1979.

**BACKGROUND**

1. On September 20, 1978, the Commission released a Notice of Proposed Rule Making which would amend Part 83 of the rules to implement changes to the Technical Regulations annexed to the Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes by Means of Radio, 1973 (GLA). At the time of the release of the Notice, amendment of the GLA had not yet been completed.

2. This rulemaking was initiated as a result of meetings and exchange of correspondence with Canada to amend the Technical Regulations. The procedure for amending the Technical Regulations is by an exchange of diplomatic notes. The exchange of diplomatic notes has been accomplished and the amendments will be effective February 1, 1979.

3. The general substance of the rule amendments in the Appendix is as follows:

a. An additional requirement for all ships over 38 meters (124 feet) in length to be equipped with a second VHF installation which fully complies with the rules has been established.

b. The required frequencies are amended to allow the ship to install the necessary ship movement frequencies for the ship's area of operation.

c. Regulation 15 (bis) (c), Chapter IV of the Safety Convention establishes a 10 watt RF carrier power minimum power requirement applicable to foreign ships. This 10 watt minimum requirement is now made applicable to ships subject to the GLA.

d. The definition of the Great Lakes has been amended to reflect the connecting and tributary waters contained in the new Regulation 8.

**COMMENTS AND COMMENTERS**

4. Comments were submitted by the Lake Carriers Association (LCA), Lorain Electronics Corporation (LORAIN) and the Great Lakes Towing Company (GLT). No reply comments were submitted.

5. All of the commenters supported the amendments. However, several

suggested some minor clarification and wording changes as follows:

a. LORAIN has made the following comments:

(1) Suggested that the wording of Section 83.539(b) might be misconstrued as limiting the number of VHF radiotelephones to two installations only and suggested the following wording "shall be fitted with at least two VHF radiotelephone installations \* \* \*".

(2) The required channelization proposed in Section 83.539(c) is not clear and suggested the following:

"(c) The term "radiotelephone installation" for the purpose of the Great Lakes Agreement, means a ship radio station (including the source of energy necessary to energize the apparatus) of which each of the VHF installations in (b) above are capable of transmitting and receiving speech on at least the following VHF channels;

Channel 16—156.8 MHz—Distress, Safety and Calling.

Channel 6—156.3 MHz—Primary intership.

In addition the station shall be equipped with those of the following vessel traffic channels appropriate \* \* \* etc."; and

(3) While Section 83.547(a) was not included in the proposal, LORAIN was concerned that certain vessels had the operating controls on the bridge, but not at the conning position, and suggested that dial lights only be required at the principal operating position.

b. LCA associated its comments with those of LORAIN.

c. GLT is concerned with the requirement for any public correspondence frequencies on their harbor tugs. These tugs operate within the confines of the harbor and their operation is under the control of the GLT limited coast station.

**DISCUSSION**

6. With respect to the comments, we make the following observations:

a. We agree with LORAIN regarding the required channelization. We did not intend that each radiotelephone have all of the proposed channels installed as long as the radiotelephone station has the required channels and each radiotelephone is capable of operation on Channels 6 and 16.

b. With respect to LORAIN's concern that there is any implication that two radiotelephones is the maximum number permitted, we are amending our rules to make this clear. It should be noted, however, that the Commission specifies the minimum requirements for compliance with the various acts or agreements but does not re-



strict the licensee from installing any additional equipment deemed necessary for its efficient operation.

c. LORAIN's suggestion concerning dial lights was not a part of this proceeding. The rules now make provisions for an alternate means of lighting the operating controls and no further consideration is necessary.

d. Concerning the GLT comment on the requirement for a public correspondence frequency on harbor tugs, we believe that this comment is not generally applicable to the operations on the Great Lakes. However, in consideration of the number of channels installed for ship movement, ship service and the automated VHF system on the Great Lakes, the necessity for a public correspondence channel is minimized. Therefore, we are deleting this requirement.

7. Pursuant to Article XVIII of the Great Lakes Agreement amendment to the technical regulations, which the subject rules implement, shall enter into force on February 1, 1979. Ordinarily administration dictates that our rules shall be in effect on the same date. Accordingly, good cause is found to make the rules effective on February 1, 1979, less than the 30 days specified in 5 USCA 553(d).

8. Regarding questions on matters covered in this document, contact Nicholas G. Bagnato, telephone (202) 632-7197.

#### CONCLUSION

9. Accordingly, IT IS ORDERED, THAT, pursuant to the authority contained in Section 4(i) and 303(c), (e) and (r) of the Communications Act of 1934, as amended, the Commission's rules ARE AMENDED, as set forth in the attached Appendix, effective February 1, 1979.

10. It is further ordered, That this proceeding IS TERMINATED.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS  
COMMISSION

WILLIAM J. TRICARICO,  
Secretary.

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended to read as follows:

#### PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE.

1. The introductory portion of § 83.536 which precedes paragraph (a) is amended to define applicable waters of the Great Lakes and paragraphs (a) and (b) are amended to reflect the length in meters as follows:

§ 83.536 Applicability to vessels.

The Agreement Between the United States of America and Canada for Promotion of Safety on the Great Lakes

by Means of Radio, 1973, applies to vessels of all countries when navigated on the Great Lakes. The Great Lakes Agreement defines the Great Lakes as "all waters of Lakes Ontario, Erie, Huron (including Georgian Bay), Michigan, Superior, their connecting and tributary waters and the River St. Lawrence as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada, but shall not include such of the connecting and tributary waters as may be specified in the Technical Regulations." The Technical Regulations do not include any connecting and tributary waters except the St. Mary's River, the St. Clair River, Lake St. Clair, the Detroit River and the Welland Canal. A vessel to which the Great Lakes Agreement applies and which falls into the specific categories by paragraphs (a), (b) or (c) of this section and not excepted by paragraphs (d) or (e) of this section shall comply with this subpart while navigated on the Great Lakes.

(a) Every vessel of 20 meters (65 feet) or over in length (measured from end to end over the deck, exclusive of sheer).

(b) Every vessel engaged in towing another towing vessel or floating object, except:

(1) where the minimum length of the towing vessel, measured from end to end over the deck exclusive of sheer, is less than 8 meters (26 feet) and the length or breadth of the tow, exclusive of the towing line is less than 20 meters (65 feet);

(2) where the vessel towed complies with this subpart;

(3) where the towing vessel and tow are located within a booming ground (an area in which logs are confined); or

(4) where the tow has been undertaken in an emergency and neither the towing vessel nor the tow can comply with this part.

(2) Section 83.539 is amended by amending paragraph (a), adding a new paragraph (b), amending existing paragraph (b) and redesignating as (c), and redesignating existing paragraph (c) as (d) to read as follows:

#### § 83.539 Radiotelephone installation.

(a) Each vessel of the United States of less than 38 meters (124 feet) registered length while subject to the requirements of the Great Lakes Radio Agreement shall be fitted with a radiotelephone in effective operating condition meeting the provisions of this subpart in addition to the provisions of such other rules in this part, governing ship stations using telephony, as are applicable.

(b) Each vessel of the United States of 38 meters (124 feet) or more while subject to the requirements of the Great Lakes Radio Agreement shall be fitted with a minimum of two VHF radiotelephone installations in effective operating condition meeting the provisions of this subpart in addition to the provisions of such other rules in this part, governing ship stations using telephony, as are applicable. The second VHF installation shall be electrically separate from the first VHF installation; however, both may be connected to the main source of energy provided one installation can be operated from a separate source of energy located as high as practicable on the vessel.

(c) The term "radiotelephone installation", for the purpose of the Great Lakes Agreement, means a ship radio station (including the source of power necessary to energize the apparatus) capable of transmitting and receiving F3 emission as follows:

(1) Each VHF radiotelephone installation.

(i) Channel 16—156.8 MHz—Distress, Safety and Calling.

(ii) Channel 6—156.3 MHz—Primary intership.

(2) The radiotelephone station shall have additional frequencies as follows:

(i) Those ship movement frequencies appropriate to the vessel's area of operation: Channel 11—156.55 MHz, Channel 12—156.60 MHz, Channel 13—156.65 MHz or Channel 14—156.7 MHz.

(ii) Such other frequencies as required for the vessel's service.

(iii) One channel for receiving marine navigational warnings for the area of operation.

(3) Nothing contained in this paragraph shall be construed to require or prohibit the availability of other frequencies for use by the same "radiotelephone installation" for communication authorized by this part on other frequencies.

(d) Every radiotelephone station shall include one or more transmitters, one or more receivers, one or more sources of electrical energy; and associated antennas and control equipment. The radiotelephone station, exclusive of the antennas and source of electrical energy, shall be located as high as practicable on the vessel, preferably on the bridge, and suitably protected from the harmful effects of water, temperature, electrical and mechanical noise.

3. Section 83.542(b) is amended to reduce the minimum power requirement as follows:

#### § 83.542 Radiotelephone transmitter.

(b) The transmitter shall be of a type which has been demonstrated in



the process of type acceptance as being capable of delivering a carrier power of at least 10 watts, but not more than 25 watts, on each of the frequencies 156.8 MHz and 156.3 MHz into 50 ohms effective resistance, when operated with its applied primary supply voltage. The transmitter shall be capable of readily reducing the carrier power to one watt or less.

[FR Doc. 79-2261 Filed 1-22-79; 8:45 am]

[4910-62-M]

**Title 49—Transportation**

**SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION**

[OST Docket No. 48; Amdt. 2]

**PART 5—RULEMAKING PROCEDURES**

**Revision of Regulations Governing National Highway Traffic Safety Administration Financial Assistance Program**

AGENCY: Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: The Department of Transportation revises its regulations governing the administration of a program of financial assistance to qualified participants in rulemaking proceedings of the National Highway Traffic Safety Administration (NHTSA). The revisions are intended to improve administration of the Department's public participation program to be conducted through NHTSA rulemaking, while the consideration of permanent regulations for the entire Department continues.

DATES: The amendments to the existing regulations are effective January 23, 1979. Comments should be received on or before April 2, 1979.

ADDRESSES: Comments should be addressed to: Docket Clerk; OST Docket No. 48, Amendment 2; Office of the General Counsel; Department of Transportation; Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard M. Lorr, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590 (202) 426-4710.

SUPPLEMENTARY INFORMATION: DOT promulgated regulations in 1977 (42 FR 2864; January 13, 1977) establishing a one-year initial program to test the value of providing financial assistance to potential participants in

DOT rulemaking whose viewpoints were not being represented or were being underrepresented because they were unable to bear the costs of effective participation. Based on a favorable finding by NHTSA, whose rulemakings were used for the one-year initial program, the Department extended the initial program until a decision on issuance of final departmental regulations was reached (43 FR 10918; March 16, 1978). Subsequently, the Appropriations Committees of Congress directed that the Secretary conduct a specifically funded public participation demonstration program in NHTSA rulemaking during FY 1979, with a final report on the project to be submitted to Congress (H. Rep. 95-1329, at 10). Congress directed that \$125,000 be made available during FY 1979 for this one-year demonstration program of citizen participation.

While the Department continues to consider the appropriate scope and nature of a permanent regulation governing public participation for the Department as a whole, it has decided the NHTSA's experience to date with public participation justifies revisions in the present regulations. These revisions are based largely on NHTSA's evaluation and recommendations submitted to the Secretary upon the conclusion of the first year of the demonstration program. It is believed that these revisions will enable the Department to fulfill the Congressional direction properly. Although public comment has been solicited and received on the promulgation of permanent regulations, the procedural nature of these revisions justifies the immediate amendment of the existing program regulations, and is published without general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b)(A). Final action is particularly important because less than 9 months of the FY 1979 program remain and several impending rulemaking proceedings may be candidates for funding.

The following paragraphs set forth an explanation of the more important revisions from the earlier regulation.

**SCOPE OF THE PROGRAM**

Consonant with the direction from Congress, the "Purpose" section of the regulation is revised to permit funding only of rulemaking proceedings rather than all administrative proceedings. It is clarified that no new right of intervention or participation is created by the financial participation program.

Some definitions have been revised for clarity. The rule now clearly defines "rulemaking proceeding" to mean any phase of a rulemaking process of NHTSA that is open to public participation, so long as it is commenced by publication of a notice in the FEDERAL REGISTER requesting com-

ment. Previously, the definition of a "proceeding" might have been construed as only involving actual rulemakings under specific statutes administered by the NHTSA or defect determination hearings under the National Traffic and Motor Vehicle Safety Act of 1966. The definition of an Evaluation Board now clearly indicates it is an independent panel not subject to the authority of other officials in the evaluation of applications. Under the new regulations, it is also made clear that local, State, or Federal agencies are not considered eligible applicants. Other definitions have been streamlined in a similar fashion, and necessary new definitions have been added.

**NOTICE OF AVAILABILITY OF COMPENSATION**

Section 6 of the previous regulation has been expanded (in the new §§ 5.47 and 5.51) to improve notice of the availability of compensation and increase the time available for applying, consideration of the application, and opportunity to prepare comments when funded. A serious deficiency in the agency's one-year initial program was the limited time available in the normal course of rulemaking (1) to alert potential participants, particularly individuals who do not normally deal with Federal rulemaking proceedings, of the availability of compensation, (2) to prepare applications, (3) to evaluate applications, (4) and to prepare and deliver comments when funding is provided. This schedule was particularly tight when a public meeting occurred midway through a 45-day comment period.

With this in mind, the regulations establish that the notice of the availability of financial assistance in a particular proceeding must (with limited exceptions) appear in the rulemaking notice, with a minimum 30-day period for filing applications and a 90-day comment period for the notice itself. Copies of the notice will be mailed directly to any parties that request to be put on NHTSA's mailing list or who are identified by the NHTSA Office of Consumer Participation as persons or organizations particularly affected by a particular proceeding. To assure complete consideration of all applications received by the stated deadline, the period for agency consideration of applications has been extended to 15 days.

The new § 5.47 also contains the criteria by which the choice of funded proceedings is made. In this regard, interested persons are advised that the NHTSA has published a tentative list of those rulemakings in which it may offer compensation during the FY 1979 program (43 FR 53522; November 16, 1978). Under the new regulations, the Department's Semi-Annual Regu-



lations Agenda may be used as a substitute means of calling attention to proceedings in which funding may be made available. Members of the public need not wait for the announcement of a specific proceeding in the *FEDERAL REGISTER*, but are encouraged to apply in response to the announcements of anticipated proceedings in the Semi-Annual Regulations Agenda.

#### CONTENT OF APPLICATIONS

The provisions governing the content of applications have been improved most significantly by more clearly specifying the type of information that is helpful in determining an applicant's financial situation. At the same time, redundant submissions of financial information are largely eliminated by providing that such information need be submitted only once in six months, except for material changes in the data that occur sooner.

The regulation now requires a listing of current and long-term assets and liabilities (as of the close of the preceding fiscal year and as of the date of the application) along with an explanation of why net assets will not be used for participation; a revenue and expense statement for the preceding fiscal year and current fiscal year, including, in the case of a group, association, partnership or corporation, a list of planned projects and the amounts to be expended on each. Individuals applying only for funds for travel, subsistence, and miscellaneous expenses are not required to supply financial data, as a determination regarding the individual's financial resources is not required for this type of assistance.

The new regulations also require an applicant to provide more specific information regarding the positions it plans to take at the proceeding, including how the applicant plans to address relevant issues, and a description of the evidence, studies, methodologies, and information to be developed and presented. Failure to provide this, and other required information, may result in disqualification of the application.

In addition to dropping certain duplicative or unessential items from the application, the regulation now makes more specific the requirements for information on the economic interest of applicants in the outcome of the proceeding. Copies of applications will be available for public inspection at NHTSA's Washington office.

#### SELECTION CRITERIA

Although an applicant must generally demonstrate to the satisfaction of the Evaluation Board that it does not have sufficient resources to participate effectively without financial assistance, such a determination is no

longer a prerequisite with respect to an application by an individual solely for reimbursement of travel, subsistence and related expenses (See DOT Order 1500.6).

Another substantive change of importance permits the funding of more than one applicant representing the same interest, without a showing of significant differences in viewpoint or proposals. If participation by additional funded applicants would promote the presentation of a fair balance of views in the proceeding. The need to redress an imbalance of views at a proceeding arises when it is apparent that the presentations of many participants, representing one or two points of view, by sheer repetition could obscure appropriate consideration of the views of a single funded participant. At the same time, to assure that as wide as possible a range of viewpoints are presented, no single group will be permitted to receive more than 20% of the funds awarded during the fiscal year.

#### RECOVERABLE COSTS

An important area of the regulations in which important modifications have been made is the description of costs for which reimbursement may be claimed. In accordance with General Accounting Office policy, reimbursable expenses including salaries remain limited to actual and reasonable costs (See, Decision of the Comptroller General, B-139703, July 30, 1978, Attorney Fees-Federal Trade Commission). Participant's contractors may be paid at prevailing market rates. However, such compensation may not exceed rates paid to comparable DOT employees. Compensation for staff services, paid by participating groups and organizations is limited to rates of reimbursements normally paid by the organization and, also, may not exceed rates paid to comparable DOT employees. Travel, subsistence and related miscellaneous expenses must conform to the types and rates prescribed by the DOT "Travel Manual," (See DOT Order 1500.6).

Of major importance, however, is the deletion of the restrictions on reimbursement for staff time expended on an organization's own behalf (Sec. 7(b)(2)(i)) and for hiring outside personnel (Sec. 7(b)(2)(ii)). These provisions had proven to be confusing and difficult to apply in practice.

Due to restrictions imposed by the Federal Reports Act on the use of Federal funds to conduct surveys, surveys were deleted from the list of recoverable expenses. In order to assure that limited program funds are allocated as productively as possible, expenses incurred in preparation of applications, with the exception of first time applications, are no longer reimbursable,

nor are costs incurred in answering inquiries, or conducting negotiations relating to claims for compensation.

Interested parties should also note that claims for compensation under the new regulation must be submitted to NHTSA within 90 days following the completion of the applicant's participation in the subject proceeding. Payment of compensable expenses will be made by NHTSA within 90 days of the applicant's submission of a completed claim, unless NHTSA determines that the claim, or some portion, will be audited within 90 days of the submission of the claim. In that event, payment of claims may be delayed until completion of the audit. In conformance with Departmental policy concerning grants and contracts, the Secretary, Administrator, or other appropriate Federal officials may conduct audits of awards of financial assistance for a period of three years after receipt of compensation. For that reason, applicants are required to retain all pertinent records for a period of three years after receipt of compensation.

Further guidelines relating to allowable costs, financial statements, accounting, and recordkeeping may be established by the Department.

#### SUPPLEMENTARY COMPENSATION

NHTSA has from time to time accepted supplementary applications when it became apparent that initial awards were inadequate to cover applicants' expenses of participation, although the regulations contained no mention of supplementary applications and some participants may not have been aware that supplemental funds could be requested. Supplementary compensation is not provided for work performed or costs incurred by an applicant or its contractors in advance of the Board's decision to provide supplementary compensation. Section 5.55 of the new regulations lists the circumstances under which supplementary compensation may be available.

Although this notice is in the form of a final rule, DOT seeks public comment on the regulations as amended to assist in future revisions and to aid in consideration of Department-wide public participation regulations. All comments should be addressed to the DOT Docket Clerk at the address noted above and should be received before the close of business on the comment closing date indicated.

The lawyer principally responsible for the development of this rulemaking document is Richard Lorr, Office of the General Counsel.

In consideration of the foregoing, title 49, Subtitle B, Chapter V of the Code of Federal Regulations is amended by deletion of the appendix *Finan-*



*cial Assistance to Participants in Administrative Proceedings* and Title 49, Subtitle A, Part 5 is amended by addition of a Subpart D as set forth below, effective January 23, 1979.

BROCK ADAMS,  
Secretary of Transportation.

**Subpart D—Financial Assistance to Participants in Rulemaking Proceedings**

- Sec.
- 5.41 Purpose.
- 5.43 Applicability.
- 5.45 Definitions.
- 5.47 Notice of the availability of compensation.
- 5.49 Contents of the application.
- 5.51 Processing applications.
- 5.53 Recoverable costs.
- 5.55 Supplementary compensation.
- 5.57 Payments to applicants.
- 5.58 Audits.
- 5.59 Guidelines.

AUTHORITY: Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; secs. 102, 201, 408, 501, et seq., Pub. L. 92-513, 86 Stat. 949 (15 U.S.C. 1912, 1941, 1988, 2001, et seq.); Pub. L. 89-554, 80 Stat. 499 (5 U.S.C. 5703); Pub. L. 95-335, 92 Stat. 435)

**Subpart D—Financial Assistance to Participants in Rulemaking Proceedings**

**§ 5.41 Purpose.**

This part establishes procedures governing the compensation of participants in Department of Transportation (DOT) rulemaking proceedings in the National Highway Traffic Safety Administration (NHTSA).

**§ 5.43 Applicability.**

This part applies to any individual, group, association, partnership, or corporation seeking financial assistance for participation in a rulemaking proceeding of NHTSA. This part does not, however, create any new right to intervene or otherwise participate in any proceeding.

**§ 5.45 Definitions.**

As used herein—  
(a) "Administrator" means the Administrator of NHTSA or his or her delegate.

(b) "Applicant" means any individual, or any profit or nonprofit group, association, partnership, or corporation seeking compensation under this part, but does not include a local, state, or Federal agency.

(c) "Application" means a document or proposal that complies with § 5.49 and is submitted to the Evaluation Board.

(d) "Evaluation Board"—means an independent panel which is not subject to the authority of other officials when evaluating applications under this part, and is composed of the Assistant Director for Consumer Affairs, the Associate Administrator for Plans

and Programs of NHTSA, and the Chief Counsel of NHTSA, or their respective delegates.

(e) "Qualified applicant" means an applicant the Evaluation Board has determined is eligible under the criteria of § 5.51(b).

(f) "Rulemaking" has the meaning given in 5 U.S.C. 551.

(g) "Rulemaking proceeding" ("proceeding") means any phase of a NHTSA rulemaking process that is open to public participation, including any advance notice or notice of proposed rulemaking, or any meeting, hearing, or solicitation of comments in contemplation of rulemaking. A proceeding is commenced by publication of a notice in the FEDERAL REGISTER announcing that NHTSA is soliciting comment for a proceeding.

(h) "Secretary" means the Secretary of Transportation or his or her delegate.

**§ 5.47 Notice of the Availability of Compensation.**

(a) The Administrator determines which proceedings will be funded upon an evaluation of their (1) contribution to fulfilling agency goals; (2) costliness or controversiality to consumers, regulated parties, and other affected parties; (3) the availability of funds; (4) the time available to complete the proceeding; and (5) the likelihood that funds would enhance effective public participation. When feasible, the public's views are considered regarding which proceedings should be funded.

(b) When the Administrator determines that compensation will be available for participation in a proceeding, he or she directs that notice of the availability of compensation be published in the FEDERAL REGISTER as part of the notice commencing the proceeding. The NHTSA Office of Consumer Participation maintains a list of groups and individuals to be directly notified of the proceeding. This list is composed of those who have requested notice of the proposed proceeding or who have been identified by the Office as being particularly affected by the proceeding. The Office mails the notice directly to all persons on the list, once the notice has been posted by the FEDERAL REGISTER.

(c) Except in the case of a proceeding held to meet a congressional or judicial deadline or resolve exigent problems, the notice of the availability of compensation sets a deadline for submission of applications of not less than 30 days following publication of the notice and indicates to whom applications are submitted. In the case of a proceeding held to meet a congressional or judicial deadline or resolve exigent problems, when a deadline of 30 days or more is not feasible, the notice of the availability of compensa-

tion sets a deadline of not less than 15 days.

(d) Except in the case of a proceeding held to meet a congressional or judicial deadline or resolve exigent problems, the comment period for a proceeding in which compensation is made available is not less than 90 days. In the case of a proceeding held to meet a congressional or judicial deadline or resolve exigent problems, when it is not feasible to set the comment period at not less than 90 days, the comment period is extended by the number of days between the deadline for submission of applications and the decision of the Evaluation Board on all of the timely received applications.

(e) The Secretary indicates in the Department's Semi-Annual Regulations Report, published in the FEDERAL REGISTER, pursuant to Executive Order 12044, the proceedings in which funding under this part is contemplated. The Administrator mails copies of this report to all persons on the list maintained pursuant to paragraph (b) of this section.

(f) The minimum period required under paragraph (c) of this section need not be provided if:

(1) The Semi-Annual Regulations Agenda is published at least 30 days or, in the case of a proceeding held to meet a congressional or judicial deadline or resolve exigent problems, at least 15 days prior to the commencement of the proceeding;

(2) The Agenda describes the issues of these proceedings with reasonable accuracy and completeness;

(3) Invitations have been mailed to the interested public; and

(4) At least three qualified applicants have responded, and the Evaluation Board will approve or deny these applicants before the commencement of the proceeding.

**§ 5.49 Contents of the application.**

Each application shall contain, in a sworn statement, the information requested below, in the order specified. Failure to include the requested information may result in a delay in the Evaluation Board's consideration of the application and may also result in disqualification of the application. Applications shall be directed to the NHTSA Office of Consumer Participation.

(a) The applicant's name and address, and in the case of an organization, the names, addresses, and titles of the members of its governing body and a description of the organization's general purpose, structure, and Federal income tax status.

(b) An identification of the proceeding for which funds are requested.

(c) A description of the applicant's economic, social and other interests in



the outcome of the proceeding, including any effect the outcome of the proceeding may have on the income of the applicant or the applicant's members.

(d) A description of any contracting, consulting or other income producing relationship of the applicant with an organization having an economic interest in the regulation which is the subject of the proceeding.

(e) A discussion of the reasons why the applicant is an appropriate representative of those interests, including the expertise and experience of the applicant, and any consultants it intends to employ, in the matters involved in the proceeding, and evidence of the applicant's prior general performance and the applicant's relation to the interest it seeks to protect or represent.

(f) A description and explanation of the position(s) the applicant proposes to present at the proceeding, including a description of the evidence, studies, viewpoints, methodologies, and information to be developed or used in supporting the applicant's position(s). The applicant should describe the issues it plans to address, how the applicant plans to resolve these issues, and how the issues affect the applicant's interest in the proceeding. This discussion should explain which ideas or viewpoints the applicant believes are novel or significant, and why the applicant believes that the presentation of these ideas and viewpoints would contribute to a full and fair determination of the issues involved in the proceeding.

(g) An itemized statement of the total amount of funds requested, which shall clearly state for each task: the identity of persons performing the task and their hourly rates of pay, the total cost of the task, and the total hours required to perform the task.

(h) Except for individuals applying for funds only for travel, subsistence, and related miscellaneous expenses—

(1) A listing of the applicants' current and long term assets and liabilities as of the close of the preceding fiscal year, and as of the date of application, with an explanation of why the applicant cannot use any excess of assets over liabilities in order to participate in the proceeding.

(2) A statement of the applicants' revenues and expenses for the preceding fiscal year, and an estimate of the applicant's anticipated revenues and expenses for the current fiscal year, including, in the case of a group, association, partnership or corporation, a list of planned projects and the amounts to be expended on each.

(3) Where an applicant has previously submitted an application for financial assistance under this program during the preceding six months of

the current fiscal year, the applicant need only inform the agency of any material changes in the financial data previously submitted.

(i) A list of all proceedings of the Federal Government in which the applicant has participated during the past year (including the interest represented and the contribution made) any amount of financial assistance received from any agency of the Federal Government in connection with these proceedings.

#### § 5.51 Processing applications.

(a) The Evaluation Board accepts applications from the time notice is published until the time for public participation in a proceeding has ended; however, applications received after the specified deadline are not assured full consideration. The Board may request applicants to provide additional written or oral information necessary to full consideration of the application. Such additional written information, summaries of such oral information, and copies of each application are available for public inspection at NHTSA's Washington office.

(b) Within 15 working days following the deadline for receipt of applications, the Evaluation Board receives any technical comments from the official most directly responsible for the development of NHTSA's position on the substantive issues of the proceeding, and the Evaluation Board then approves or denies, in whole or in part, each application submitted. If the Board requests an applicant to provide additional information, the time period for Board action on the application is suspended for the period of time specified by the Board for receipt of the additional information. The Evaluation Board may approve an application, if it finds that:

(1) The applicant's participation would contribute or could reasonably be expected to, contribute substantially to a full and fair determination of the issues involved in the proceeding, taking into consideration the novelty, complexity, and significance of the ideas advanced by the applicant, and taking into account the ability of the applicant to represent the interests it espouses competently, when assessed under the following criteria:

(i) The applicant's, or its consultant's or attorney's, experience and expertise in the substantive area at issue in the proceeding;

(ii) The applicant's, or its consultant's or attorney's, prior general performance and competence; and

(iii) Evidence of the applicant's relationship to the interest it seeks to protect or represent.

(2) The applicant has demonstrated that it does not have sufficient resources available to participate effectively

in the proceeding in the absence of an award under this part. If an individual applies for reimbursement only for reasonable travel, subsistence, and permitted miscellaneous expenses to participate in the proceeding, the Board does not make the finding otherwise required by this subparagraph.

(c) (1) When two or more qualified applicants seek to represent the same or similar interest but would present significant differences in viewpoint or proposals, the Evaluation Board may partially or completely grant funds to one or more of them.

(2) When two or more qualified applicants seek to represent the same or similar interest without significant differences in viewpoint or proposals, the Evaluation Board may select all or some of these qualified applicants if the Board determines their selection would promote the presentation of a fair balance of views at the proceeding.

(3) To preclude duplicative presentations, other than those qualifying under § 5.51(c)(2), the Evaluation Board selects the qualified applicant it considers most competent under the criteria of § 5.51(b)(1), and whose proposals are the most specific, significant, and novel.

(d) The Evaluation Board is not required to select a qualified applicant if the Board determines that selection of an otherwise qualified applicant would be impracticable or unreasonable. In deciding to deny an otherwise qualified applicant, the Board may consider the following and other factors:

(1) Whether an applicant's proposal can be reasonably developed and presented within the time allotted for the rulemaking proceeding;

(2) The availability of funding under this part;

(3) The significance of the proceeding in question and the amount of funds needed by the applicant; and

(4) The reasonableness of the sums requested.

(e) No applicant may be awarded more than 20% of the total amount of funds to be allocated by NHTSA for public participation for a Fiscal Year.

(f) A written decision of the Evaluation Board, stating why assistance has either been granted or denied in light of the criteria in paragraphs (b) through (e) of this section mailed to each applicant. Copies of each decision of the Board are available for public inspection at NHTSA's Washington office.

(g) Upon good cause timely shown by an applicant, the decision of the Evaluation Board regarding its application may be reconsidered by the Board.



**§ 5.53 Recoverable costs.**

(a) Expenses compensable under this regulation include but are not limited to reasonable attorneys' fees; expert witness fees; the expenses of clerical services, travel, subsistence, studies, demonstrations and other reasonable costs of participation actually incurred.

(b) Compensation of an applicant is limited to the actual and reasonable costs of its participation. Compensation paid to the staff of any participating group or organization is limited to the rate of reimbursement normally paid by the participant for staff services and may not exceed the rates paid to DOT employees for providing comparable services. Compensation of a participant's contractor may be valued at the prevailing market rates for the kind and quality of service provided, but may not exceed the rates paid to DOT employees for providing comparable services.

(c) Reimbursement for travel, subsistence, and miscellaneous expenses must conform to the types and rates prescribed by the DOT "Travel Manual," (DOT Order 1500.6).

(d) Except as otherwise noted in this paragraph, compensation is not provided for work performed or costs incurred prior to approval of an application by the Evaluation Board. Compensation is not provided for negotiating claims, answering NHTSA inquiries, or preparing an application, other than a participant's first approved application.

**§ 5.55 Supplementary compensation.**

(a) Applicants may apply to the Evaluation Board for supplementary compensation if the initial award is insufficient to permit the applicant to complete its proposal and if:

(1) The Board requested the applicant to perform work in addition to that contained in the approved proposal, or

(2) The applicant demonstrates it has been subject to an unforeseeable and material change in its circumstances, or

(3) The applicant or the Board substantially underestimated the probable cost of participation.

(b) Compensation is not provided for work performed or costs incurred by an applicant or its contractors in advance of the Board's decision to provide supplementary compensation.

(c) The Board provides supplementary compensation under the criteria of § 5.51 and paragraphs (a) and (b) of this section.

**§ 5.57 Payments to applicants.**

An applicant shall submit a claim for compensation to NHTSA's Office of Consumer Participation within 90 days of the applicant's completion of

participation in the proceeding. Such claims shall include bills, receipts, or other proofs of costs incurred. Within 60 days of receipt of a completed claim, NHTSA's Office of Consumer Participation, after consultation with NHTSA's Office of Financial Management, directs the Office of Financial Management to make payment for compensable expenses. For good cause shown, payment to an applicant may be expedited, and requests for partial payment may be submitted for compensation of part performance. Payment of claims is delayed, or relevant portions withheld, if it is determined that a claim or any portion of a claim will be audited within 90 days of the submission of the claim.

**§ 5.58 Audits.**

For the purpose of conducting an audit, the Secretary, the Administrator, or other appropriate Federal official shall have access to any relevant records of a participant awarded compensation under this part. Applicants shall retain all records, books of account, bills, receipts, and any other relevant records supporting a claim for compensation for a period of three years after receipt of such compensation.

**§ 5.59 Guidelines.**

The Secretary establishes guidelines to explain further the criteria to be used by the Evaluation Board in assessing financial data under § 5.51(b)(2) and for determining reasonable allowable costs under § 5.53. The Secretary may establish additional guidelines governing applicants' accounting and recordkeeping procedures.

[FR Doc. 79-2290 Filed 1-22-79; 8:45 am]

**[7035-01-M]**

**Title 49—Transportation**

**CHAPTER X—INTERSTATE  
COMMERCE COMMISSION**

**SUBCHAPTER A—GENERAL RULES AND  
REGULATIONS**

[Ex Parte No. 342]

**PART 1008—PROCEDURES GOVERN-  
ING THE PROCESSING, INVESTIGA-  
TION AND DISPOSITION OF OVER-  
CHARGE, DUPLICATE PAYMENT,  
OR OVERCOLLECTION CLAIMS**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Modification of Final Rules; Proceeding held open for further comment on one aspect of proposed rules.

**SUMMARY:** Regulations adopted in 358 I.C.C. 114 are clarified on appeal. The regulation, as modified, will improve carrier practices by providing uniform procedures for the efficient processing, investigation and timely disposition of overcharge, duplicate payment and overcollection claims by motor common carriers and freight forwarders. Rule 1008.9(a) providing for disposition of unidentified payments is stayed, pending additional proceedings.

**DATES:** 1. Regulations published September 14, 1978, 43 FR 41040, as modified, shall be effective February 22, 1979.

2. Further comments on Rule 1008.9(a) due March 9, 1979; reply comments due April 9, 1979.

**FOR FURTHER INFORMATION  
CONTACT:**

Janice M. Rosenak (202) 275-7693 or  
Harvey Gobetz (202) 275-7656.

**SUPPLEMENTARY INFORMATION:** In our prior decision, 358 I.C.C. 114, served September 1, 1978, the Commission adopted regulations providing uniform procedures for the expeditious processing and disposition by motor carriers and freight forwarders of claims for overcharge duplicate payment, and overcollection. By subsequent decision served October 11, 1978, the effective date of those regulations was stayed pending completion of administrative review.

It is evident from the limited number of appeals<sup>1</sup> that the rules have been favorably received by most shippers and carriers. However, there is merit in two requests for minor modification. Accordingly, the regulations as published at 43 F.R. 41040 are amended as follows.

**§ 1008.4 [Amended]**

Section 1008.4(e) is modified to read as follows:

(e) A carrier shall accept copies instead of the original documents required to be submitted in this section where the carrier is furnished with an agreement entered into by the claimant which indemnifies the carrier for subsequent duplicate claims which might be filed and supported by the original documents.

**§ 1008.9 [Amended]**

To avoid ambiguity, § 1008.9(b) is modified to read as follows:

<sup>1</sup> 5 petitions for administrative review and 3 replies were filed.



(b) When a carrier which participate in a transportation movement, but did not collect the transportation charges, finds that an overpayment has been made, that carrier shall immediately notify the collecting carrier. When the collecting carrier (whether single or joint line haul) discovers or is notified by such a participating carrier that an overcharge, duplicate payment, or overcollection exists for any transportation charge which has not been the subject of a claim, the carrier shall create a file as if a claim had been submitted and shall record in the file the date it discovered or was notified of the overpayment. The carrier that collected the charges shall then refund the amount of the overpayment to the person who paid the transportation charges or to the person that made duplicate payment within 30 days from the date of such discovery or notification.

Several petitioners object to the procedures provided for handling unidentified payments, and characterize the requirement of a single notification and request for information as inadequate and lacking in specificity. They argue that §1008.9(a) would create a windfall for the carriers and place the burden on the shipper to establish that the carrier is not entitled to keep an unidentified payment. They suggest that §1008.9(a) goes beyond establishing standardized procedures, and into the area where the Commission found jurisdiction lacking "to settle or adjudicate these claims." 358 I.C.C. 114 at page 117. While they support all uniform procedures designed to elicit information which is necessary to resolve unidentified payments, they object to what they perceive as an ultimate disposition on the merits in favor of the carrier. If the Commission permits the retention of such funds and their use in overall carrier operations, National Industrial Traffic League (NITL) suggests that, at a minimum, the total dollar amount of those funds should be treated as non-investor supplied capital, or deducted from any property investment base.

The rule places the initial burden upon the carrier for notification and verification of an unidentified payment. When such notification does not elicit the requested information, the carrier may conditionally retain the unidentified payment as payment of freight charges owing to it, subject to refund under normal claims procedures. Shippers are afforded ample protection by the provision for application of regular claims procedures following the 90-day period.

Although we are satisfied as to our jurisdiction in this area, we feel that a limited reopening of the record on the

subject of unidentified payments is desirable. This subject was not addressed in the proposed rules nor was it originally contemplated at the time this proceeding was instituted. We believe that a more comprehensive analysis is necessary to ascertain the scope and significance of this complex and controversial area. Additionally, we feel that the proposal advanced by NITL is entitled to further consideration by the parties.

Parties and other interested persons are requested to file with the Commission information concerning the nature, handling, and disposition of unidentified payments. Participant's comments should address the following:

- (1) Their frequency and volume.
- (2) Their origin and nature.
- (3) Types of shippers, carriers, and clearinghouses experiencing them.
- (4) Existing carrier practices.
- (5) The party who should bear the burden of identification.
- (6) Suggested procedures for disposition, including the NITL recommendation.
- (7) Refinement of the definition of unidentified payments.
- (8) Other relevant data.

Dated: December 20, 1978.

By the Commission, Chairman O'Neal, Vice Chairman Christian, Commissioners Brown, Stafford, Gresham, and Clapp.

H. G. HOMME, Jr.,  
Secretary.

[FR Doc. 79-2314 Filed 1-22-79; 8:45 am]

[7035-01-M]

[Ex Parte No. MC-43 (Sub-No. 7)]

#### PART 1057—LEASE AND INTERCHANGE OF VEHICLES

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: The regulations promote full disclosure between the carrier and owner-operator in the leasing contract, promote the stability and economic welfare of the independent trucker segment of the motor carrier industry, and eliminate or reduce the opportunity for skimming and other illegal practices. The existing lease and interchange regulations have been rewritten so as to be simpler and easier to understand.

EFFECTIVE DATE: February 22, 1979.

FOR FURTHER INFORMATION CONTACT:

Bruce Kasson (202) 275-7723.

SUPPLEMENTARY INFORMATION: By notice of proposed rulemaking published in the FEDERAL REGISTER on November 23, 1977, 42 FR 59984, this proceeding was instituted to revise and rewrite the Commission's leasing regulations in Title 49 of the Code of Federal Regulations, Chapter X, Part 1057—Lease and Interchange of Vehicles (49 CFR Part 1057). Because the initial notice did not include formal rules, but rather discussed the proposals generally, a second notice consisting of proposed rules was published in the FEDERAL REGISTER on July 11, 1978, 43 FR 29812.

The final rules provide that the cost of various operating expenses such as fuel, permits, tolls, and licenses must be allocated in the lease. The lease must also identify all items that may be charged-back to the lessor, clearly state the insurance costs and responsibilities of each party, and specify the terms of any equipment purchase plan or rental contract that gives the carrier the right to make deductions from the lessor's compensation. These provisions promote a "truth in leasing concept" and will ensure that the carrier and owner-operator fully disclose the obligations and responsibilities of each party.

Because the rules require that (1) the compensation due the owner-operator be stated on the face of the lease, or in an addendum, and (2) the owner-operator be provided a copy of the freight bill, owner-operators will be able to have an accurate and complete accounting of the monies earned under leasing arrangements. Payment of compensation to lessors within 15 days of submission of paperwork, as required by the rules, assures carriers that necessary paperwork will be submitted, and, at the same time, assures owner-operators that compensation will be timely if the paperwork is submitted.

Provisions have also been added relating to the handling and return of any escrow funds held by the carrier. Interest must be paid on escrow funds, the funds must be returned within 45 days, and the owner-operator must receive a full accounting of escrow fund transactions and deductions.

The rules set forth in Appendix A are adopted under authority of 49 U.S.C. 304 (e) and (f), and 5 U.S.C. 552, 553, and 559.

Dated: January 9, 1979.

By the Commission, Chairman O'Neal, Vice Chairman Brown, Commissioners Stafford, Gresham, Clapp and Christian. Commissioner Stafford would not require the carrier to pay interest on the escrow account



(§ 1057.12(e)(5)), and he would delete § 1057.12(j).

H. G. HOMME, Jr.,  
Secretary.

# APPENDIX A

Part 1057 is revised and reorganized to read as follows:

## Part 1057—Lease and Interchange of Vehicles

### Subpart A—General Applicability and Definitions.

- Sec.  
1057.1 Applicability.  
1057.2 Definitions.

### Subpart B—Leasing Regulations

- 1057.11 General leasing requirements.  
1057.12 Written lease requirements.

### Subpart C—Exemptions for the Leasing Regulations

- 1057.21 General exemptions.  
1057.22 Exemption for trip leasing between authorized carriers.  
1057.23 Exemption for trip leasing specialized equipment.  
1057.24 Exemption for trip leasing equipment used in agricultural operations.  
1057.25 Recordkeeping for agricultural exemption.  
1057.26 Exemption from requirement of exclusive possession and control.

### Subpart D—Interchange Regulations

- 1057.31 Interchange of equipment.

### Subpart E—Private Carriers and Shippers

- 1057.41 Rental of equipment to private carriers and shippers.

AUTHORITY: 49 U.S.C. 304(e) and (f) and 5 U.S.C. 552, 553, and 559.

### Subpart A—General Applicability and Definitions

#### § 1057.1 Applicability.

The regulations in this part apply to the following actions by motor carriers holding permanent or temporary operating authority from the Commission to transport property:

- The leasing of equipment with which to perform transportation regulated by the Commission.
- The leasing of equipment to motor private carrier or shippers.
- The interchange of equipment between motor common carriers in the performance of transportation regulated by the Commission.

#### § 1057.2 Definitions.

(a) *Authorized carrier*.—A person or persons authorized to engage in the transportation of property as a common or contract carrier under the provisions of 49 U.S.C. 10921, 10922, 10923, 10928, 10931, or 10932.

(b) *Equipment*.—A motor vehicle, straight truck, tractor, semitrailer, full

trailer, any combination of these and any other type of equipment used by authorized carriers in the transportation of property for hire.

(c) *Interchange*.—The receipt of equipment by one motor common carrier of property from another such carrier, at a point which both carriers are authorized to serve, with which to continue a through movement.

(d) *Owner*.—A person (1) to whom title to equipment has been issued, or (2) who, without title, has the right to exclusive use of equipment for a period longer than 30 days, or (3) who has lawful possession of equipment, registered and licensed in any State in the name of that person.

(e) *Lease*.—A contract or arrangement in which the owner grants the use of equipment, with or without driver, for a specified period to an authorized carrier for use in the regulated transportation of property, in exchange for compensation.

(f) *Permanent lease*.—A lease in which the authorized carrier acquires the use of equipment, with or without driver, from an owner for a period of 30 days or more.

(g) *Trip lease*.—A lease in which an authorized carrier acquires the use of equipment, with or without driver, from an owner for a period of time less than 30 days.

(h) *Lessor*.—In a lease, the party granting the use of equipment, with or without driver, to another.

(i) *Lessee*.—In a lease, the party acquiring the use of equipment with or without driver, from another.

(j) *Sublease*.—A written contract in which the lessee grants the use of leased equipment, with or without driver, to another.

(k) *Addendum*.—A supplement to an existing lease which is not effective until signed by the lessor and lessee.

(l) *Private carrier*.—A person, other than a motor carrier, transporting property by motor vehicle in interstate or foreign commerce when (1) the person is the owner, lessee, or bailee of the property being transported; and (2) the property is being transported for sale, lease, rent, or bailment, or to further a commercial enterprise.

(m) *Shipper*.—A person who sends or receives property which is transported in interstate or foreign commerce.

(n) *Escrow fund*.—Money deposited by the lessor with either a third party or the lessee to guarantee performance, to repay advances, to cover repair expenses, to handle claims, to handle license and State permit costs, and for any other purposes mutually agreed upon by the lessor and lessee.

(o) *Detention*.—The holding by a consignor or consignee of a trailer, with or without power unit and driver, beyond the free time allocated for the

shipment, under circumstances not attributable to the performance of the carrier.

### Subpart B—Leasing Regulations

#### § 1057.11 General leasing requirements.

Other than through the interchange of equipment as set forth in § 1057.31, and under the exemptions set forth in subpart C of these regulations, the authorized carrier may perform authorized transportation in equipment it does not own only under the following conditions:

(a) *Lease*.—There shall be a written lease granting the use of the equipment and meeting the requirements contained in § 1057.12.

(b) *Receipts for equipment*.—Receipts, specifically identifying the equipment to be leased and stating the date and time of day possession is transferred, shall be given as follows:

(1) When possession of the equipment is taken by the authorized carrier, it shall give the owner of the equipment a receipt.

(2) When possession of the equipment by the authorized carrier ends, it shall obtain a receipt from the owner.

(3) Authorized representatives of the carrier and the owner may take possession of leased equipment and give and receive the receipts required under this subsection.

(c) *Identification of equipment*.—The authorized carrier acquiring the use of equipment under this section shall identify the equipment as being in its service as follows:

(1) During the period of the lease, the carrier shall identify the equipment in accordance with the Commission's requirements in Part 1058 of this chapter (Identification of Vehicles). Upon termination of the lease, the authorized carrier shall remove all identification showing it as the operating carrier before giving up possession of the equipment.

(2) Unless a copy of the lease is carried on the equipment, the authorized carrier shall keep a statement with the equipment during the period of the lease certifying that the equipment is being operated by it. The statement shall also specify the name of the owner, the date and length of the lease, any restrictions in the lease relative to the commodities to be transported, and the address at which the original lease is kept by the authorized carrier. This statement shall be prepared by the authorized carrier or its authorized representative.

(d) *Records of equipment*.—The authorized carrier using equipment leased under this section shall keep records of the equipment as follows:

(1) If the equipment is being leased for periods of less than 30 days, the authorized carrier shall prepare and keep documents covering each trip for



which the equipment is used in its service. These documents shall contain the name and address of the owner of the equipment, the point of origin, the time and date of departure, and the point of final destination. Also, the authorized carrier shall carry papers with the leased equipment during its operation containing this information and identifying the lading and clearly indicating that the transportation is under its responsibility. These papers shall be preserved by the authorized carrier as part of its transportation records. Trip leases which contain the information required by the provisions in this paragraph may be used and retained instead of such documents or papers.

(2) If the equipment is being leased for periods of 30 days or more, the authorized carrier shall comply with the provisions of paragraphs (d)(1) of this section, but it may keep the required information at its terminals or principal office as part of its records rather than with the leased equipment.

#### § 1057.12 Written lease requirements.

Except as provided in the exemptions set forth in Subpart C of these regulations, the written lease required under § 1057.11(a) shall contain the following provisions:

(a) *Parties.*—The lease shall be made between the authorized carrier and the owner of the equipment. The lease shall be signed by these parties or by their authorized representatives.

(b) *Duration to be specific.*—The lease shall specify the time and date or the circumstances on which the lease begins and ends. These times or circumstances shall coincide with the times for the giving of receipts required by § 1057.11(b).

(c) *Minimum duration of 30 days when operated by owner.*—The period for which the lease applies shall be for 30 days or more when the equipment is to be operated for the authorized carrier by the owner or an employee of the owner.

(d) *Exclusive possession and responsibilities.*—The lease shall provide that the authorized carrier lessee shall have exclusive possession, control, and use of the equipment for the duration of the lease. The lease shall further provide that the authorized carrier lessee shall assume complete responsibility for the operation of the equipment for the duration of the lease.

(e) *Compensation to be specified.*—The amount to be paid by the authorized carrier for equipment and driver's services shall be clearly stated on the face of the lease or in an addendum which is attached to the lease. Such lease or addendum shall be delivered to the lessor prior to the commencement of any trip in the service of the authorized carrier. An authorized rep-

resentative of the lessor may accept these documents. The amount to be paid may be expressed as a percentage of gross revenue, a flat rate per mile, a variable rate depending on the direction traveled or the type of commodity transported, or by any other method of compensation mutually agreed upon by the parties to the lease. The compensation stated on the lease or in the attached addendum may apply to equipment and driver's services either separately or as a combined amount.

(f) *Items specified in lease.*—The lease shall clearly specify the responsibility of each party with respect to the cost of fuel, fuel taxes, empty mileage, permits of all types, tolls, ferries, detention and accessorial services, base plates and licenses, and any unused portions of such items.

(g) *Payment period.*—The lease shall specify that payment to the lessor under permanent or trip lease to the authorized carrier shall be made within 15 days after submission of the necessary delivery documents and other paperwork concerning a trip in the service of the authorized carrier. The lease shall clearly specify the delivery documents and other paperwork that must be submitted before the lessor can receive payment.

(h) *Copies of freight bill.*—Subject to the right of the authorized carrier to delete the names of shippers and consignees shown on the freight bill, the lease shall specify that the authorized carrier shall give a copy of the rated freight bill before or at the time of settlement to those lessors whose revenue is based on a percentage of the gross revenue for a shipment. The lease shall clearly specify the right of the lessor, regardless of method of compensation, to examine copies of the carrier's tariff.

(i) *Charge-back items.*—The lease shall clearly specify all items that may be initially paid for by the authorized carrier, but ultimately deducted from the lessor's compensation at time of payment or settlement.

(j) *Products, equipment, or services from authorized carrier.*—The lease shall specify that the lessor is not required to purchase or rent any products, equipment, or services from the authorized carrier as a condition of entering into the lease arrangement. The lease shall specify the terms of any agreement in which the lessor is a party to an equipment purchase or rental contract which gives the authorized carrier the right to make deductions from the lessor's compensation for purchase or rental payments.

(k) *Insurance.*—(1) The lease shall clearly specify the legal obligation of the authorized carrier to maintain insurance coverage for the protection of the public pursuant to Commission regulations under 49 U.S.C. 10927. The

lease shall further specify who is responsible for providing any other insurance coverage for the operation of the leased equipment, such as bobtail insurance. If the authorized carrier will make a charge back to the lessor for any of this insurance, the lease shall specify the amount which will be charged-back to the lessor.

(2) If the lessor purchases any insurance coverage for the operation of the leased equipment from or through the authorized carrier, the lease shall specify that the authorized carrier will provide the lessor with a copy of each policy upon the request of the lessor. Also, where the lessor purchases such insurance in this manner, the lease shall specify that the authorized carrier will provide the lessor with a certificate of insurance for each such policy. Each certificate of insurance shall include the name of the insurer, the policy number, the effective dates of the policy, the amounts and types of coverage, the cost to the lessor for each type of coverage, and the deductible amount for each type of coverage for which the lessor may be liable.

(3) The lease shall clearly specify the conditions under which deductions for cargo or property damage may be made from the lessor's settlements. The lease shall further specify that the authorized carrier must provide the lessor with a written explanation and itemization of any deductions for cargo or property damage made from any compensation of money owed to the lessor. The written explanation and itemization must be delivered to the lessor before any deductions are made.

(l) *Escrow funds.*—If escrow funds are required, the lease shall specify:

(1) The amount of any escrow fund or performance bond required to be paid by the lessor to the authorized carrier or to a third party.

(2) The specific items to which the escrow fund can be applied.

(3) That while the escrow fund is under the control of the authorized carrier, the authorized carrier shall provide an accounting to the lessor of any transactions involving such fund. The carrier shall perform this accounting in one of the following ways:

(i) By clearly indicating in individual settlement sheets the amount and description of any deduction or addition made to the escrow fund; or

(ii) By providing a separate accounting to the lessor of any transactions involving the escrow fund. This separate accounting shall be done on a monthly basis.

(4) The right of the lessor to demand to have an accounting for transactions involving the escrow fund at any time.

(5) That while the escrow fund is under the control of the carrier, the



carrier shall pay interest on the escrow fund on at least a quarterly basis. For purposes of calculating the balance of the escrow fund on which interest must be paid, the carrier may deduct a sum equal to the average advance made to the individual lessor during the period of time for which interest is paid. The interest rate shall be established on the date the interest period begins and shall be at least equal to the average yield or equivalent coupon issue yield on 91-day, 13-week Treasury bills as established in the weekly auction by the Department of Treasury.

(6) The conditions the lessor must fulfill in order to have the escrow fund returned. At the time of the return of the escrow fund, the authorized carrier may deduct monies for those obligations incurred by the lessor which have been previously specified in the lease, and shall provide a final accounting to the lessor or all such final deductions made to the escrow fund. The lease shall further specify that in no event shall the escrow fund be returned later than 45 days from the date of termination.

(m) *Copies of the lease.*—An original and two copies of each lease shall be signed by the parties. The authorized carrier shall keep the original and shall place a copy of the lease on the equipment during the period of the lease unless a statement as provided for in § 1057.11(c)(2) is carried on the equipment instead. The owner of the equipment shall keep the other copy of the lease.

### Subpart C—Exemptions for the Leasing Regulations

#### § 1057.21 General exemptions.

Except for § 1057.11(c) which requires the identification of equipment, the leasing regulations in this part shall not apply to:

(a) Equipment used in substituted motor-for-rail transportation of railroad freight moving between points that are railroad stations and on railroad billing.

(b) Equipment used in transportation performed exclusively within any commercial zone as defined by the Commission.

(c) Equipment leased without drivers from a person who is principally engaged in such a business.

(d) Any type of trailer not drawn by a power unit leased from the same lessor.

#### § 1057.22 Exemption for trip leasing between authorized carriers.

Regardless of the leasing regulations set forth in this part, an authorized carrier may lease equipment to or from another authorized carrier under the following conditions:

(a) The identification of equipment requirements in § 1057.11(c) must be complied with.

(b) The lessor must own the equipment or hold it under a lease of 30 days or more.

(c) The lessor must regularly use the equipment in the service it is authorized by the Commission to perform.

(d) The equipment must be leased for transportation in the direction of a point which the lessor is authorized to serve.

(e) There must be a written agreement between the authorized carriers concerning the equipment as follows:

(1) It must be signed by the parties or their authorized representatives.

(2) It must provide that control and responsibility for the operation of the equipment shall be that of the lessee from the time possession is taken by the lessee and the receipt required under § 1057.11(b) is given to the lessor until: (i) Possession of the equipment is returned to the lessor and the receipt required under § 1057.11(b) is received by the authorized carrier; or (ii) Possession of the equipment is returned to the lessor or given to another authorized carrier in an interchange of equipment.

(3) A copy of the agreement must be carried in the equipment while it is in the possession of the lessee.

#### § 1057.23 Exemption for trip leasing specialized equipment.

The requirement in § 1057.12(c) concerning the minimum duration of a lease for equipment with driver, does not apply where:

(a) The equipment is owned by an authorized automobile carrier and is leased or subleased to another authorized automobile carrier for use in transporting motor vehicles.

(b) The equipment is owned by an authorized tank truck carrier and is leased or subleased to another authorized tank truck carrier for use in transporting commodities in bulk.

(c) The equipment is dump equipment leased or subleased for use in transporting salt and calcium chloride, in bulk, for ice and snow control purposes during the period from November 1 through April 30 of each year.

#### § 1057.24 Exemption for trip leasing equipment used in agricultural operations.

The requirement in § 1057.12(c) concerning the minimum duration of a lease for equipment with driver, does not apply where the authorized carrier complies with the provisions of § 1057.25 and where:

(a) A farmer or a cooperative association or federation of cooperative associations under 49 U.S.C. 10526(a)(4) or (5).

(b) A private carrier and the equipment is used regularly in the transportation of (1) property referred to in 49 U.S.C. 10526(a)(6), or (2) perishable products manufactured from perishable property referred to in that section.

(c) The equipment has completed a movement covered by 49 U.S.C. 10526(a)(6) and is leased to the authorized carrier for use next in one of the following:

(1) A loaded movement in any direction.

(2) One or more of a series of movements, loaded or empty, in the general direction of the place where the equipment is based.

(3) A movement described in paragraph (1) of this section and then a movement described in paragraph (2) of this section.

#### § 1057.25 Recordkeeping for agricultural exemption.

To qualify for the exemption in § 1057.24, prior to leasing the equipment, the authorized carrier shall receive and retain a statement signed by the owner, or authorized representative of the owner, which includes:

(a) Authorization for the driver to lease the equipment for such movements.

(b) Certification that the equipment meets the qualifications in paragraph (a) or (b) of § 1057.24.

(c) Specification of the origin, destination, and the time of beginning and ending of the last movement which brought the equipment within the exemption of § 1057.24.

#### § 1057.26 Exemption from requirement of exclusive possession and control.

The requirements in § 1057.12(d) concerning exclusive possession and control of leased equipment by the authorized carrier lessee do not apply where:

(a) The parties provide in the lease that the authorized carrier lessee be considered the owner of the equipment for the purpose of subleasing the equipment to other authorized carriers under the regulations in this part during the length of the lease.

(b) An authorized carrier of household goods has leased equipment for the transportation of household goods, as defined by the Commission, and the equipment is not being operated by or for the authorized carrier lessee at that time.

### Subpart D—Interchange Regulations

#### § 1057.31 Interchange of equipment.

Authorized common carriers may interchange equipment under the following conditions:

(a) *Interchange agreement.*—There shall be a written contract, lease, or



other arrangement providing for the interchange and specifically describing the equipment to be interchanged. This written agreement shall set forth the specific points of interchange, how the equipment is to be used, and the compensation for such use. The interchange agreement shall be signed by the parties or by their authorized representatives.

(b) *Operating authority.*—The carriers participating in the interchange shall hold certificates of public convenience and necessity which authorize the transportation of the commodities at the point where the physical exchange occurs.

(c) *Through bills of lading.*—The traffic transported in interchange service must move on through bills of lading issued by the originating carrier. The rates charged and the revenues collected must be accounted for in the same manner as if there had been no interchange. Charges for the use of the interchanged equipment shall be kept separate from divisions of the joint rates or the proportions of such rates accruing to the carriers by the application of local or proportional rates.

(d) *Identification of equipment.*—The authorized common carrier receiving the equipment shall identify equipment operated by it in interchange service as follows:

(1) The authorized common carrier shall identify power units in accordance with the Commission's requirements in Part 1058 of this chapter (Identification of Vehicles). Before giving up possession of the equipment, the carrier shall remove all identification showing it as the operating carrier.

(2) Unless a copy of the interchange agreement is carried on the equipment, the authorized common carrier shall carry a statement with each vehicle during interchange service certifying that it is operating the equipment. The statement shall also identify the equipment by company or State registration number and shall show the specific point of interchange, the date and time it assumes responsibility for the equipment, and the use to be made of the equipment. This statement shall be signed by the parties to the interchange agreement or their authorized representatives. The requirements of this paragraph shall not apply where the equipment to be operated in interchange service consists only of trailers or semitrailers.

(e) *Connecting carriers considered as owner.*—An authorized carrier receiving equipment in connection with a through movement shall be considered to the owner of the equipment for the purpose of leasing the equipment to other authorized carriers in furtherance of the movement to desti-

nation or the return of the equipment after the movement is completed.

### Subpart E—Private Carriers and Shippers

#### § 1057.41 Rental of equipment to private carriers and shippers

Authorized carriers may rent equipment to private carriers and shippers only as follows:

(a) Authorized carriers may rent equipment, with or without drivers, to private carriers or shippers where the vehicles are to be used for transportation which is exempt under 49 U.S.C. 10526 (a)(7) or (b)(1).

(b) Authorized carriers may rent equipment with drivers to private carriers or shippers where their operating authorities specifically allow such service.

(c) Authorized carriers may rent equipment without drivers to private carriers or shippers where the authorized carriers are transporting property wholly for and on the billing of railroads.

(d) Authorized contract carriers may rent equipment without drivers to private carriers and shippers where approval of the rental contracts has been obtained from the Commission.

[FR Doc. 79-2304 Filed 1-22-79; 8:45 am]

### [3510-22-M]

#### Title 50—Wildlife and Fisheries

### CHAPTER VI—FISHERY CONSERVATION AND MANAGEMENT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

#### PART 611—FOREIGN FISHING

#### PART 672—GROUND FISH OF THE GULF OF ALASKA

#### Apportionment of Reserve Amounts

AGENCY: National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Final Regulations.

SUMMARY: These regulations make additional amounts of fish available to foreign fishing in accordance with the provisions of the fishery management plan (FMP) for Groundfish of the Gulf of Alaska and the regulations implementing this FMP (see 50 CFR 672.20(c) (43 FR 56238), and 50 CFR 611.92(b)(1)(ii) (43 FR 59322)). These regulations apply to vessels of foreign nations fishing for groundfish in the Gulf of Alaska.

EFFECTIVE DATE: January 17, 1979.

### FOR FURTHER INFORMATION CONTACT:

Harry L. Rietze, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802, Telephone: (907) 586-7221.

### SUPPLEMENTARY INFORMATION:

#### I. BACKGROUND

Because of uncertainties about specifications of U.S. capacity, particularly the extent to which U.S. catcher vessels delivering fish to foreign processors at sea would harvest groundfish, the FMP established a reserve of fish which could be released during the season to foreign harvesting vessels if U.S. vessels did not harvest at anticipated levels.

On August 23, 1978, the North Pacific Fishery Management Council (the Council) adopted an amendment to the FMP for groundfish which increased the reserve of pollock to 133,800 metric tons and added to reserves appropriate amounts of species taken incidental to fishing for pollock. The purpose of this reserve amount of fish was to assure that an adequate supply of fish was available to U.S. vessels wishing to sell U.S.-caught fish to foreign processing vessels at sea. The amendment was approved by the Assistant Administrator for Fisheries on September 22, 1978 (43 FR 46349).

Final regulations were published on December 1, 1978 (43 FR 56233). The final regulations established the criteria and timing of any reserve release. The final regulations also established a procedure for public comment on the extent to which vessels of the United States would harvest reserve amounts during the remainder of the fishing year.

#### II. DETERMINATION OF AMOUNT OF RESERVE RELEASE

In accordance with the requirements of 50 CFR 672.20(c) and 50 CFR 611.92(b)(1)(ii), the Regional Director has determined that U.S. vessels will not harvest any of the twenty-five percent reserve for all species except sablefish scheduled to be released on or as soon as possible after January 2, 1979, for the following reasons:

1. The domestic annual harvests (DAHs) specified by the FMP are sufficient to provide for U.S. catches expected to be delivered to U.S. processors.

2. The reserves remaining after this release are sufficient to provide for U.S. catches expected to be delivered to foreign processing vessels (joint venture catches).

During the public comment period, no testimony was received indicating that the capacity and intended activities of the U.S. fishing fleet and U.S.



processors are greater than those originally declared when DAH was established. Further, no testimony substantiated future expansion of the U.S. fishing fleet and U.S. processing facilities beyond that originally declared when DAH was established. It is, therefore, determined that the DAHs will not be exceeded by U.S. catches delivered to U.S. processors and that the DAHs will not need to be supplemented by the reserves.

The reserves originally established by the FMP were equal to twenty (20) percent of the Optimum Yields (OYs). The reserves were subsequently increased from 65,100 metric tons to 180,200 metric tons to provide for joint venture catches. Such catches to date have been minor and fishing has temporarily ceased. From the record, it is determined that the joint venture catches will not exceed the reserve balance (136,175 metric tons) remaining after this release. Action with respect to release of sablefish reserves is being delayed until after the January 1979, North Pacific Fishery Management Council meeting. There is pending action by the Council with respect to the sablefish OY which may change the sablefish reserve, making it inappropriate to release any of that reserve at this time.

In making this determination, the Regional Director considered the factors set out in 50 CFR 611.92(b)(1)(ii) and the comments received on the proposed action.

### III. RESPONSE TO PUBLIC COMMENTS

Only one comment was received during the comment period on the action. This comment is summarized and is responded to below:

Comment; Request that the entire Pacific cod apportionment authorized for release on January 2, 1979 (25 percent of the total Pacific cod reserve), be made as scheduled.

Response: It has been deemed appropriate for the reasons stated above to release 25 percent of the Pacific cod reserves.

### IV. OTHER MATTERS

An environmental impact statement was prepared for the FMP for Groundfish of the Gulf of Alaska and is on file with the Environmental Protection Agency. A negative assessment of environmental impact prepared for the reserve release provisions of the groundfish FMP is also on file with the Environmental Protection Agency.

The Regional Director has determined that these regulations should be effective immediately for the following reasons:

A. The regulations implementing the FMP provide adequate advance notice and invite public comment on this action;

B. No regulatory restrictions are imposed on any person as a result of this action;

C. This action relates to the extension of a benefit; and

D. Immediate implementation is required to achieve full utilization of the fishery resources concerned.

Signed at Washington, D.C. this 16th day of January, 1979.

(16 U.S.C. Section 1801 et seq.)

WINFRED H. MEIBOHM,  
Acting Executive Director,  
National Marine Fisheries Service.

### § 611.20 [Amended]

1. 50 CFR 611.20 is amended by amending Table I as follows:

Change all entries under Gulf of Alaska Groundfish to read as follows:

Fishery	Species	Species Code	TALFF (Metric tons)
Gulf of Alaska Groundfish.....	Cod, Pacific.....	702	**11,802
Do.....	Flounders, including yellowfin sole.....	129	**19,025
Do.....	Mackerel, Atka.....	207	**20,675
Do.....	Perch, Pacific Ocean (POP).....	780	**17,975
Do.....	Pollock.....	701	**54,250
Do.....	Rockfishes, other than POP.....	849	**2,975
Do.....	Sablefish.....	703	**4,900
Do.....	Squid.....	509	**1,250
Do.....	Other species.....	499	**12,175

2. 50 CFR 611.92 is amended by replacing Table I—GULF OF ALASKA GROUND FISH FISHERY: TALFF AND RESERVE BY SPECIES AND FISHING AREA FOR 1978/1979 with the following:

§ 611.92 Gulf of Alaska Groundfish fishery.

(b) \* \* \*

(1) \* \* \*



## RULES AND REGULATIONS

TABLE I.—Gulf of Alaska Groundfish Fishery: TALFF and Reserve<sup>1</sup> by Species and Fishing Area for 1978/1978

[Metric tons]

FISHING AREAS<sup>2</sup>

Species		Shumagin	Chirikof	Kodiak	Yakutat	Southeast	Total
Pollock	TALFF	18,300	17,475	13,100	3,975	1,400	54,250
	Reserve	33,900	32,325	24,300	7,425	2,400	100,350
Pacific Cod <sup>3</sup>	TALFF	3,253	1,438	5,185	1,448	478	11,802
	Reserve	2,047	862	3,315	952	322	7,498
Flounders	TALFF	5,950	1,500	8,775	3,650	1,150	19,025
	Reserve	2,250	600	2,625	1,350	450	7,275
Pacific Ocean Perch (POP)	TALFF	1,925	1,925	3,800	5,625	4,700	17,975
	Reserve	675	675	1,200	1,875	1,500	5,925
Other Rockfishes <sup>4</sup>	TALFF	125	125	175	1,300	1,250	2,975
	Reserve	75	75	225	1,200	1,050	2,625
Sablefish	TALFF	1,300	800	1,400	1,400	0	4,900
	Reserve	700	600	900	1,200	700	4,100
Atka Mackerel	TALFF	3,650	3,000	13,175	850	0	20,675
	Reserve	750	600	2,625	150	0	4,125
Squid	TALFF	250	250	250	250	250	1,250
	Reserve	150	150	150	150	150	750
Other Species <sup>5</sup>	TALFF	3,325	2,750	3,675	1,550	875	12,175
	Reserve	975	750	1,125	450	225	3,525

<sup>1</sup>The TALFF's specified in this table may be modified during the year if reserves are apportioned to TALFF.<sup>2</sup>See Figure 3 of Appendix II to Section 611.9 for description of fishing areas.<sup>3</sup>Of the total Pacific Cod TALFF, only 4,691 metric tons may be caught west of 157° W. longitude.<sup>4</sup>The category "other rockfishes" includes all rockfishes other than Pacific ocean perch.<sup>5</sup>The category "other species" includes all species of fish except (A) the other fish listed in the table; and (B) shrimp, scallops, salmon, steelhead trout, Pacific halibut, herring, and Continental Shelf fishery resources.

3. 50 CFR 672.20 is amended by replacing Table I—OPTIMUM YIELD AND RESERVES with the following:

## § 672.20 General limitations.

(a) \* \* \*

TABLE I.—Optimum Yield and Reserves

[Metric tons]

## FISHING AREAS

Species		Shumagin	Chirikof	Kodiak	Yakutat	Southeast	Total
Pollock	OY	57,000	54,400	40,800	12,500	4,100	168,800
	Reserve	33,900	32,325	24,300	7,425	2,400	100,350
Pacific Cod	OY	9,600	4,100	15,300	4,300	1,500	34,800
	Reserve	2,047	862	3,315	952	322	7,498
Flounder	OY	10,400	2,700	12,000	8,400	2,000	33,500
	Reserve	2,250	600	2,625	1,350	450	7,275
Pacific Ocean Perch (POP)	OY	2,700	2,700	5,200	7,900	6,500	25,000
	Reserve	675	675	1,200	1,875	1,500	5,925
Other Rockfish	OY	300	200	600	3,400	3,100	7,600
	Reserve	75	75	225	1,200	1,050	2,625
Sablefish	OY	2,100	1,400	2,400	3,400	3,700	13,000
	Reserve	700	600	900	1,200	700	4,100
Atka Mackerel	OY	4,400	3,600	15,800	1,000	0	24,800
	Reserve	750	600	2,625	150	0	4,125
Squid	OY	400	400	400	400	400	2,000
	Reserve	150	150	150	150	150	750
Other Species <sup>*</sup>	OY	4,400	3,600	5,000	2,100	1,100	16,200
	Reserve	975	750	1,125	450	225	3,525

<sup>\*</sup> Includes all stocks of finfish except: (1) those listed above; and (2) salmon, steelhead trout, and Pacific halibut.

[FR Doc. 79-2159 Filed 1-22-79; 8:45 am]



# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

[3410-08-M]

## DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

[7 CFR Part 418]

### PROPOSED WHEAT CROP INSURANCE REGULATIONS

AGENCY: Federal Crop Insurance Corporation.

ACTION: Proposed rule.

**SUMMARY:** This notice proposes regulations to prescribe procedures for insuring wheat effective with the 1980 crop year. In addition, the Commission has combined all previous regulations for insuring wheat in a shorter, clearer, and more simplified document. These regulations include several changes which will make the program more effective administratively and relieve some restrictions on policyholders. These regulations are proposed under the authority contained in the Federal Crop Insurance Act, as amended.

**DATE:** Written comments, data, and opinions must be submitted not later than February 22, 1979, to be sure of consideration.

**ADDRESS:** Written comments on this proposed rule should be sent to James D. Deal, Manager, Federal Crop Insurance Corporation, Room 4096, South Building, U.S. Department of Agriculture, Washington, D.C., 20250.

#### FOR FURTHER INFORMATION CONTACT:

Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C., 20250, 202-447-3325.

**SUPPLEMENTARY INFORMATION:** Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 et seq.), it is proposed that there be hereby established a new Part 418 of Chapter IV in Title 7 of the Code of Federal Regulations to be known as 7 CFR Part 418, Wheat Crop Insurance. This part is entirely new and is issued by the Federal Crop Insurance Corporation to provide the regulations for insuring wheat effective with the 1980 crop year. This part is subject to amendment from time to time in the light of insuring experience under the authority contained in the Federal Crop Insurance Act, as amended. Any such amendment will

be published in the FEDERAL REGISTER and codified in Title 7 of the Code of Federal Regulations.

The proposed part 418 Wheat Crop Insurance outlined below will supersede all previous regulations applicable to insuring wheat as found in 7 CFR § 401.126 (33 FR 2376, January 31, 1968), as amended (41 FR 23387-23388, June 10, 1976), and as found in 7 CFR § 401.153 (41 FR 23388-23389, June 10, 1976), effective as to the 1980 and subsequent crops.

The Corporation has determined that combining all previous regulations for insuring wheat would result in a program that is more effective administratively with shortened, simplified, and clarified regulations. In addition, the proposed Part 418 would eliminate the large acreage discount provision, which benefits producers with acreages over 200 acres by permitting discounts up to 20 percent on such acreage insured, while charging the grower with smaller acreages on a higher premium in order to provide a discount for the larger acreage insured. This practice could only be justified from an insurance concept if it could be shown that larger acreage units were better risks. This is not the case. Experience has shown that in states where the premium is discounted the most for large acreage, the insuring experience is significantly worse than average.

The bushel reserve provision, which provides for a 50 percent discount when the accumulated balance (expressed in bushels) of premium over indemnities on consecutively insured wheat crops exceeds the guarantee, is also being deleted from the proposed regulations. This provision is complex, confusing, inequitable, and in some areas, a deterrent to participation. It is not uncommon for an insured with a large premium deficit (indemnities have exceeded premium) to receive a 50 percent premium discount. It is possible, in some high rate areas, for an insured to have several years of loss followed by three or four good years and obtain the discount while the total insuring experience is in a substantial deficit. An insured is also subject to having or not having the bushel reserve discount due to acreage, share, or guarantee changes. When acreage increases, many insureds no longer qualify for the 50 percent discount even though they may not have had a loss. Again the

premium rate must be weighted to make allowance for the expected discount. Discounts for good experience, from 5 to 25 percent, are currently provided based on years of "no loss". The 20 and 25 percent discounts are given after six or seven years of the no loss experience. It is possible for insureds who had received more in indemnities than they have paid in premiums to have a discount for good experience of 20 or 25 percent.

The proposed regulations provide a rate adjustment table which adjusts premiums based on the actual individual insuring experience (loss ratio, years insured, and number of losses). It is possible to earn up to 50 percent premium discount for good experience under this table. This method more accurately reflects the premium rate for the individual insured as it is based on the insured's actual insuring experience.

Other proposed changes in the regulations for insuring wheat under the provisions of the proposed 7 CFR Part 418 include: (1) The termination date for indebtedness in the winter wheat areas will now be a date in the current calendar year after the end of the normal harvest period for the State and County; (2) An increase by 9 percent of any premium not paid by the termination date for indebtedness and a 9 percent interest charge on any unpaid premium balances yearly thereafter; (3) An extension of the time period for submitting the notice of damage or loss from 15 days to 30 days which will provide the insured with additional time to notify the Corporation of such damage or loss; (4) The production guarantee being shown on the actuarial table on a harvested basis with a reduction of the lesser of 3 bushels or 20 percent of the guarantee for any acreage which is unharvested instead of the current provision increasing the guarantee by 1.5 bushels on acreage on which 1.5 or more bushels were harvested; (5) Increasing the limitation from \$5,000 to \$20,000 in those cases involving good faith reliance on misrepresentation (as found in 7 CFR Part 418.6 of the proposed regulations) wherein the Manager of the Corporation is authorized to take action to grant relief without such case being approved by the Board of Directors of the Corporation. This increase reflects the trend toward larger acreages of the modern farms



which could result in cases in excess of \$5,000.

Editorial changes have been made in the proposed Wheat Crop Insurance Regulations (7 CFR Part 418) to combine and simplify the documents held by the insured. This has been accomplished by combining the application and policy, formerly separate items, and transferring several less used items to an Appendix to the policy, which results in shortening the basic policy.

The cancellation date for all current wheat endorsements in Colorado, Kansas, Oklahoma, Nebraska, New Mexico, Texas, and Wyoming is March 15. Such regulations as are contained in this part, and any amendments thereto, must be placed on file in the Corporation's office for the county by not later than 15 days prior to March 15 in order to be effective for the crop year. Effective with the 1980 and succeeding crop years, the cancellation date for the above mentioned States shall be April 30, as indicated in the date table found in 7 CFR 418.12(15)(c) below.

The Federal Crop Insurance Corporation, in accordance with the provisions of the Administrative Procedure Act (7 U.S.C., 553(b) and (c)), relative to notice and public participation, has determined that such regulations as are printed below in the proposed new 7 CFR Part 418 shall be published in the FEDERAL REGISTER as a notice of proposed rulemaking; however, in view of the fact that such regulations are required to be placed on file in the Corporation's office for the county in wheat crop insurance counties, in order to be applicable to 1980 crop wheat, it will not be possible to provide the required 60 days for public comment and still meet the deadline for filing. In this case, the Corporation is allowing 30 days in which the public is invited to submit written comments, data, or views for consideration in connection with the proposed Wheat Crop Insurance Regulations in the proposed Part 418. Such written submissions must be delivered or postmarked by not later than February 22, 1979, to be sure of consideration and must be submitted to James D. Deal, Manager, Federal Crop Insurance Corporation, Room 4096, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

All written submissions made pursuant to this notice will be available for public inspection at the Office of the Manager during regular business hours, 8:15 a.m. to 4:45 p.m., Monday through Friday (7 CFR 1.27(b)).

#### PROPOSED RULE

Accordingly, pursuant to the authority contained in the Federal Crop Insurance Act, as amended, (7 U.S.C.

1501 et seq.), the Federal Crop Insurance Corporation proposes to delete and reserve 7 CFR §§ 401.126 and 401.153, and to issue a new Part 418 in Chapter IV of Title 7 of the Code of Federal Regulations effective with the 1980 and subsequent crops of wheat to read as follows:

#### PART 418—WHEAT CROP INSURANCE

##### Subpart—Regulations for the 1980 and Succeeding Crop Years

###### Sec.

- 418.1 Availability of Wheat Insurance
- 418.2 Premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed
- 418.3 Public notice of indemnities paid
- 418.4 Creditors
- 418.5 Good faith reliance on misrepresentation
- 418.6 The contract
- 418.7 The application and policy

AUTHORITY: (Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; (7 U.S.C. 1506, 1516))

###### § 418.1 Availability of wheat insurance.

Insurance shall be offered under the provisions of this subpart on wheat in counties within limits prescribed by and in accordance with the provisions of the Federal Crop Insurance Act, as amended. The counties shall be designated by the Manager of the Corporation from those approved by the Board of Directors of the Corporation. Before insurance is offered in any county, there shall be published by appendix to this chapter the names of the counties in which wheat insurance will be offered.

###### § 418.2 Premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed.

(a) The Manager shall establish premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed for wheat. Such premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed shall be shown on the county actuarial table on file in the office for the county and may be changed from year to year.

(b) At the time the application for insurance is made, the applicant shall elect a coverage level and price election at which indemnities shall be computed from among those levels and prices shown on the actuarial table for the crop year.

###### § 418.3 Public notice of indemnities paid.

The Corporation shall provide for posting annually in each county at each county courthouse a listing of the indemnities paid in the county.

###### § 418.4 Creditors

An interest of a person in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, or an involuntary transfer shall not entitle the holder of the interest to any benefit under the contract except as provided in the policy.

###### § 418.5 Good faith reliance on misrepresentation.

Notwithstanding any other provision of the wheat insurance contract, whenever a person insured under these regulations who is indebted to the Corporation or who has suffered a loss to a crop which is not insured, or for which the insured is not entitled to an indemnity because of failure to comply with the terms of the insurance contract, but which the insured believed to be insured, or believed the terms of the insurance contract to have been complied with or waived, because of a misrepresentation or other erroneous action or advice by an agent or employee of the Corporation and the Board of Directors of the Corporation, or the Manager in cases involving not more than \$20,000.00, finds (a) that an agent or employee of the Corporation did in fact make such misrepresentation or take other erroneous action or give erroneous advice, (b) that said insured person relied thereon in good faith, and (c) that to require payment of indebtedness or to deny said insured's claim for indemnity would not be fair and equitable, such insured person shall be granted relief the same as if otherwise entitled thereto.

###### § 418.6 The contract

The insurance contract shall become effective upon the acceptance by the Corporation of a duly executed application for insurance on a form prescribed by the Corporation. The contract shall cover the wheat crop as provided in the policy. The contract shall consist of the application, the policy, the accompanying appendix, and the provisions of the county actuarial table showing the production guarantees, coverage levels, premium rates, prices for computing indemnities, insurable and uninsurable acreage, and applicable dates. Any changes made in the contract shall not affect the continuity from year to year. Copies of forms referred to in the contract are available at the office for the county.

###### § 418.7 The application and policy

(a) Application for insurance on a form prescribed by the Corporation may be made by any person to cover such person's insurable share in the wheat crop as landlord, owner-operator, or tenant. The application shall be submitted to the Corporation at the



office for the county on or before the applicable closing date on file in the office for the county.

(b) The Corporation reserves the right to discontinue the acceptance of applications in any county upon its determination that the insurance risk involved is excessive, and also, for the same reason, to reject any individual application. The Manager of the Corporation is authorized in any crop year to extend the closing date for acceptance of applications or contract changes in any county, by placing the extended date on file in the office for the county and publish a notice in the FEDERAL REGISTER upon his determination that no adverse selectivity will result during the period of such extension: *Provided, however,* That if adverse conditions should develop during such period, the Corporation will immediately discontinue the acceptance of applications.

(c) A contract in the form provided for under this subpart, without the filing of a new application, as a continuation of a continuous contract issued under Federal Crop Insurance Regulations for the 1969 and Succeeding Crop Years, shall come into effect in accordance with the provisions governing changes in the contract of the applicable policies issued under said 1969 regulations.

(d) The provisions of the application and Wheat Insurance Policy for the 1980 and Succeeding Crop Years, and the Appendix to the Wheat Insurance Policy are as follows:



UNITED STATES DEPARTMENT OF AGRICULTURE

## APPLICATION FOR 19      AND SUCCEEDING CROP YEARS

## CROP INSURANCE CONTRACT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(IDENTIFICATION NUMBER)  
\_\_\_\_\_  
(NAME AND ADDRESS) (ZIP CODE) (COUNTY) (STATE)  
TYPE OF ENTITY \_\_\_\_\_ APPLICANT IS OVER 18 YES NO

A. The applicant, subject to the provisions of the regulations of the Federal Crop Insurance Corporation (herein called "Corporation"), applies to the Corporation for insurance on the applicant's share in the wheat planted on insurable acreage as shown on the county actuarial table for the above-stated county. The applicant elects from the actuarial table the coverage level and price at which indemnities shall be computed. THE PREMIUM RATES AND PRODUCTION GUARANTEES SHALL BE THOSE SHOWN ON THE APPLICABLE COUNTY ACTUARIAL TABLE FILED IN THE OFFICE FOR THE COUNTY FOR EACH CROP YEAR.

LEVEL ELECTION \_\_\_\_\_ PRICE ELECTION \_\_\_\_\_

EXAMPLE: FOR THE 19\_\_ CROP YEAR ONLY (100% SHARE)

LOCATION FARM NO.	GUARANTEE PER ACRE	PREMIUM PER ACRE	PRACTICE	
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____



B. UPON ACCEPTANCE OF THIS APPLICATION BY THE CORPORATION, the contract shall be in effect for the first crop year specified above, unless the time for submitting applications has passed at the time this application is filed, AND SHALL CONTINUE FOR EACH SUCCEEDING CROP YEAR UNTIL CANCELED OR TERMINATED as provided in the contract. This accepted application, the following wheat insurance policy, the attached appendix, and the provisions of the county actuarial table showing the production guarantees, coverage levels, premium rates, prices for computing indemnities, insurable and uninsurable acreage, and applicable dates, shall constitute the contract. Additional information regarding contract provisions can be found in the county regulations folder on file in the office for the county. No term or condition of the contract shall be waived or changed except in writing by the Corporation.

\_\_\_\_\_,<sup>19</sup>  
(CODE NO./WITNESS TO SIGNATURE) (SIGNATURE OF APPLICANT) (DATE)

ADDRESS OF OFFICE FOR COUNTY:

\_\_\_\_\_  
PHONE \_\_\_\_\_

LOCATION OF FARM HEADQUARTERS

\_\_\_\_\_  
PHONE \_\_\_\_\_

WHEAT CROP INSURANCE POLICY

TERMS AND CONDITIONS

Subject to the provisions in the attached appendix:



1. *Causes of loss.* (a) Causes of loss insured against. The insurance provided is against unavoidable loss of production resulting from adverse weather conditions, insects, plant disease, wildlife, earthquake or fire occurring within the insurance period subject to any exceptions, exclusions or limitations with causes of loss that are shown on the actuarial table.

(b) Causes of loss not insured against. The contract shall not cover any loss of production due to (1) the neglect or malfeasance of the insured, any member of his household, his tenants, or employees, (2) failure to follow recognized good farming practices, (3) damage resulting from the backing up of water by any governmental or public utilities dam or reservoir project, or (4) any cause not specified as an insured cause in this policy as limited by the actuarial table.

2. *Crop and acreage insured.* (a) Upon acceptance of an application for insurance, the crop insured shall be wheat which is seeded for harvest as grain and for which the actuarial table shows a guarantee and premium rate per acre.

(b) The acreage insured for each crop year shall be that acreage seeded to wheat on insurable acreage, as shown on the actuarial table and as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, in which the insured has a share: *Provided*, That insurance shall not attach or be considered to have attached as determined by the Corporation to any acreage (1) where premium rates are established by farming practices on the actuarial table, and the farming practices carried out on any acreage are not among those for which a premium rate has been established, (2) not reported for insurance as provided in section 4 if such acreage is irrigated and an irrigated practice is not provided for such acreage on the actuarial table, (3) which is destroyed and after such destruction it was practical to replant to wheat and such acreage was not replanted, (4) initially planted after the date established by the

Corporation and placed on file in the office for the county as being too late to initially plant and expect a normal crop to be produced, (5) of volunteer wheat, (6) seeded to a type or variety of wheat not established as adapted to the area or shown as noninsurable on the actuarial table, or (7) seeded with another crop.

(c) Insurance may attach only by written agreement with the Corporation on acreage which is seeded for the development or production of hybrid seed or for experimental purposes.

3. *Responsibility of insured to report acreage and share.* The insured shall submit to the Corporation on a form prescribed by the Corporation, a report showing all acreage of wheat seeded in the county (including a designation of any acreage to which insurance does not attach) in which the insured has a share and the insured's share therein at the time of seeding. Such report shall be submitted each year not later than a date on file in the office for the county.

4. *Production guarantees, coverage levels and prices for computing indemnities.* (a) For each crop year of the contract, the production guarantees, coverage levels, and prices at which indemnities shall be computed shall be those shown on the actuarial table.

(b) The production guarantee per acre shall be reduced by the lesser of 3 bushels or 20 percent for any unharvested acreage.

5. *Annual premium.* (a) The annual premium is earned and payable at the time of seeding and shall be determined by multiplying the insured acreage times the applicable premium per acre, times the insured's share at the time of seeding, times the premium adjustment percentage in paragraph (c) of this section.

(b) For premium adjustment purposes, only the years during which premiums were earned shall be considered.

(c) The premium shall be adjusted as shown in the following table:



[3410-08-C]

% ADJUSTMENTS FOR FAVORABLE CONTINUOUS INSURANCE EXPERIENCE:

Loss Ratio 1/ Through Previous Crop Year	Number of Years Continuous Experience Through Previous Year																
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
.00 - .20	100	95	95	90	90	85	80	75	70	70	65	65	60	60	55	50	
.21 - .40	100	100	95	95	90	90	90	85	80	80	75	75	70	70	65	60	
.41 - .60	100	100	95	95	95	95	95	90	90	90	85	85	80	80	75	70	
.61 - .80	100	100	95	95	95	95	95	95	90	90	90	90	85	85	85	80	
.81 - 1.09	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	

% ADJUSTMENTS FOR UNFAVORABLE INSURANCE EXPERIENCE:

Loss Ratio 1/ Through Previous Crop Year	Number of Loss Years Through Previous Year*															
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1.10 - 1.19	100	100	100	102	104	106	108	110	112	114	116	118	120	122	124	126
1.20 - 1.39	100	100	100	104	108	112	116	120	124	128	132	136	140	144	148	152
1.40 - 1.69	100	100	100	108	116	124	132	140	148	156	164	172	180	188	196	204
1.70 - 1.99	100	100	100	112	122	132	142	152	162	172	182	192	202	212	222	232
2.00 - 2.49	100	100	100	116	128	140	152	164	176	188	200	212	224	236	248	260
2.50 - 3.24	100	100	100	120	134	148	162	176	190	204	218	232	246	260	274	288
3.25 - 3.99	100	100	105	124	140	156	172	188	204	220	236	252	268	284	300	300
4.00 - 4.99	100	100	110	128	146	164	182	200	218	236	254	272	290	300	300	300
5.00 - 5.99	100	100	115	132	152	172	192	212	232	252	272	292	300	300	300	300
6.00 - Up	100	100	120	136	158	180	202	224	246	268	290	300	300	300	300	300

\*Only the most recent 15 crop years will be used to determine the number of "Loss Years"  
(A crop year is determined to be a "Loss Year" when the amount of indemnity for the year exceeds the premium for the year)

$\frac{1}{2}$  Loss Ratio means the ratio of indemnity(ies) paid to premium(s) earned.



## PROPOSED RULES

(d) If any premium for any crop year is not paid on or before the termination date for indebtedness for such crop year, such unpaid premium balance shall be increased by an interest rate of 9 percent; *Provided*, When notice of loss has been timely filed by the insured as provided in section 7 of the policy and if the Corporation has approved a claim for loss between 20 days before the termination date and any time after the date of termination, the 9 percent increase for unpaid premium balance shall not apply until 30 days after the date of such approval by the Corporation; and, if any premium is not paid within the twelve months immediately following the termination date, interest charges of 9 percent per year will attach each year thereafter to any unpaid balance. Any unpaid amount due the Corporation may be deducted from any indemnity payable to the insured by the Corporation or from any loan or payment to the insured under any Act of Congress or program administered by the U.S. Department of Agriculture, when not prohibited by law.

6. *Insurance period.* Insurance on insured acreage shall attach at the time the wheat is seeded and shall cease upon the earlier of (1) final adjustment of a loss, (2) combining, threshing, or removal of the wheat from the field, (3) October 31 of the calendar year in which wheat is normally harvested, or (4) total destruction of the insured wheat crop.

7. *Notice of damage or loss.* (a) Any notice of damage or loss shall be given promptly in writing by the insured to the Corporation at the office for the county.

(b) Notice shall be given promptly if, during the period before harvest, the wheat on any unit is damaged to the extent that the insured does not expect to further care for the crop or harvest any part of it, or if the insured wants the consent of the Corporation to put the acreage to another use. No insured acreage shall be put to another use until the Corporation has made an appraisal of the potential production of such acreage and consents in writing to such other use. Such consent shall not be given until it is too late to replant the wheat. Notice shall also be given when such acreage has been put to another use.

(c) In addition to the notices required in paragraph (b) of this section, if a loss is to be claimed on any unit, the insured shall give written notice thereof to the Corporation at the office for the county not later than 30 DAYS after the earlier of (1) the date harvest is completed on the unit, (2) the calendar date for the end of the insurance period, or (3) the date the entire wheat crop on the unit is destroyed, as determined by the Corporation. The Corporation reserves the right to provide additional time if it determines there are extenuating circumstances.

(d) Any insured acreage which is not to be harvested shall be left intact until the Corporation makes an inspection.

8. *Claim for indemnity.* (a) It shall be a condition precedent to the payment of any indemnity that the insured (1) establish the total production of wheat on the unit and that any loss of production has been directly caused by one or more of the insured causes during the insurance period for the crop year for which the indemnity is claimed and (2) furnish any other information required regarding the manner and extent of loss as may be required by the Corporation.

(b) Indemnities shall be determined separately for each unit. The amount of indemnity for any unit shall be determined by (1) multiplying the insured acreage of wheat on the unit by the applicable production guarantee per acre, which product shall be the production guarantee for the unit, (2) subtracting therefrom the total production of wheat to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, (4) multiplying the result obtained in step (3) by the insured share; *Provided*, That if the premium computed on the determine acreage and share is more than the premium computed on the reported acreage and share, the amount of indemnity shall be computed on the determined acreage and share and then reduced proportionately.

(c) The total production to be counted for a unit shall be determined by the Corporation and shall include all harvested and appraised production from acreage seeded for harvest as grain and any harvested production from acreage initially seeded for purposes other than grain.

(1) Mature production which grades No. 4 or better shall be reduced .12 percent for each .1 percent point of moisture in excess of 13.5 percent, and if, due to insurable causes any wheat does not grade No. 4 or better, or is graded smutty, garlicky, or ergoty, in accordance with the Official U.S. Grain Standards, the production shall be adjusted by dividing the value per bushel of the damaged wheat (as determined by the Corporation) by the price per bushel of U.S. No. 2 wheat and multiplying the result by the number of bushels of such wheat. The applicable price for No. 2 wheat shall be the local market price on the earlier of: the day the loss is adjusted or the day the damaged wheat was sold.

(2) Any harvested production from volunteer crops growing with the seeded wheat crop or small grains seeded in the growing wheat crop on acreage which the Corporation has not given consent to be put to another use shall be counted as wheat on a weight basis.

(3) Appraised production shall include: (i) the greater of the appraised production or 50 percent of the applicable guarantee for any acreage which, with the consent of the Corporation, is seeded before wheat harvest becomes general in the current crop year to any other crop insurable on such acreage (excluding small grains maturing for harvest in the following calendar year), (ii) any appraisals by the Corporation for potential production on harvested acreage and for poor farming practices, (iii) not less than the applicable guarantee for any acreage which is abandoned or put to another use without prior written consent of the Corporation or damaged solely by an uninsured cause, and (iv) only the appraisal in excess of the lesser of 3 bushels or 20 percent of the production guarantee for all other unharvested acreage.

(d) The appraised potential production for acreage for which consent has been given to be put to another use shall be counted as production in determining the amount of loss under the contract. However, if consent is given to put acreage to another use and the Corporation determines that any such acreage (1) is not put to another use before harvest of wheat becomes general in the county, (2) is harvested, or (3) is further damaged by an insured cause before the acreage is put to another use, the indemnity for the unit shall be determined without regard to such appraisal and consent.

(e) The Corporation may reject any claim for indemnity if any of the requirements of this section are not met.

9. *Misrepresentation and fraud.* The Corporation may void the contract without affecting the insured's liability for premiums or waiving any right, including the right to collect any unpaid premiums if, at any time, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, and such avoidance shall be effective as of the beginning of the crop year with respect to which such act or omission occurred.

10. *Transfer of insured share.* If the insured transfers any part of the insured share during the crop year, protection will continue to be provided according to the provisions of the contract to the transferee for such crop year on the transferred share, and the transferee shall have the same rights and responsibilities under the contract as the original insured for the current crop year. Any transfer shall be made on an approved form.

11. *Records and access to farm.* The insured shall keep or cause to be kept for two years after the time of loss, records of the harvesting, storage, shipments sale or other disposition of all wheat produced on each unit including separate records showing the same information for production from any uninsured acreage. Any persons designated by the Corporation shall have access to such records and the farm for purposes related to the contract.

12. *Life of contract: Cancellation and termination.* (a) The contract shall be in effect for the crop year specified on the application and may not be canceled for such crop year. Thereafter, either party may cancel insurance for any crop year by giving a signed notice to the other on or before the cancellation date preceding such crop year.

(b) The contract will terminate as to any crop year if any amount due the Corporation is not paid on or before the termination date for indebtedness preceding such crop year; *Provided*, That the date of payment for premium (1) deducted from an indemnity claim shall be the date the insured signs such claim or (2) deducted from payment under another program administered by the U.S. Department of Agriculture shall be the date such payment was approved.

(c) Following are the cancellation and termination dates:

State and County	Cancellation Date	Termination Date for Indebtedness
Colorado, Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming	Apr. 30.....	Aug. 31
Idaho, Montana, Oregon, and Washington	Jun. 30.....	Nov. 30
Minnesota, North Dakota, and Spring Wheat only counties in South Dakota	Dec. 31.....	Mar. 31
All other States and counties	Jun. 30.....	Oct. 10



(k) "Unit" means all insurable acreage of wheat in the county on the date of seeding for the crop year (1) in which the insured has a 100 percent share, or (2) which is owned by one entity and operated by another entity on a share basis. Land rented

(d) In the absence of a notice from the insured to cancel, and subject to the provisions of subsections (a), (b), and (c) of this section, the contract shall continue in force for each succeeding crop year.

# APPENDIX TO THE WHEAT INSURANCE POLICY

## (ADDITIONAL TERMS AND CONDITIONS)

1. *Meaning of Terms.* For the purposes of wheat crop insurance, including this appendix and the policy which this appendix is accompanying (hereinafter called "the policy"), and the application for the policy:

(a) "Actuarial table" means the forms and related material for the crop year approved by the Corporation which are on file for public inspection in the office for the county, and which show the production guarantees, coverage levels, premium rates, prices for computing indemnities, insurable and uninsurable acreage, and related information regarding wheat insurance in the county.

(b) "County" means the county shown on the application and any additional land located in a local producing area bordering on the county, as shown on the actuarial table.

(c) "Crop year" means the period within which the wheat crop is normally grown and shall be designated by the calendar year in which the wheat crop is normally harvested.

(d) "Harvest" means the severance of matured wheat from the land for combining or threshing.

(e) "Insurable acreage" means the land classified as insurable by the Corporation and shown as such on the county actuarial table.

(f) "Insured" means the person who submitted the application accepted by the Corporation.

(g) "Office for the county" means the Corporation's office serving the county shown on the application for insurance or such office as may be designated by the Corporation.

(h) "Person" means an individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(i) "Share" means the interest of the insured as landlord, owner-operator, or tenant in the insured wheat crop at the time of seeding as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, and no other share shall be deemed to be insured: *Provided*, That for the purpose of determining the amount of indemnity, the insured share shall not exceed the insured's share at the earlier of (1) the date of beginning of harvest on the unit, (2) the calendar date for the end of the insurance period, or (3) the date the entire crop on the unit is destroyed, as determined by the Corporation.

(j) "Tenant" means a person who rents land from another person for a share of the wheat crop or proceeds therefrom.

for cash, a fixed commodity payment, or any consideration other than a share in the wheat crop on such land shall be considered as owned by the lessee. Land which would otherwise be one unit may be divided according to applicable guidelines on file in the office for the county or by written agreement between the Corporation and the insured. The Corporation shall determine units as herein defined when adjusting a loss, notwithstanding what is shown on the acreage report, and has the right to consider any acreage and share reported by or for the insured's spouse or child or any member of the insured's household to be the bona fide share of the insured or any other person having the bona fide share.

2. *Acreage Insured.* (a) The Corporation reserves the right to limit the insured acreage of wheat to any acreage limitations established under any Act of Congress, provided the insured is so notified in writing prior to the seeding of wheat.

(b) If the insured does not submit an acreage report on or before the date on file in the office for the county, the Corporation may elect to determine by units the insured acreage and share or declare the insured acreage on any unit(s) to be "zero". If the insured does not have a share in any insured acreage in the county for any year, he shall submit a report so indicating. Any acreage report submitted by the insured may be revised only upon approval by the Corporation.

3. *Irrigated Acreage.* (a) Where the actuarial table provides for insurance on an irrigated practice, the insured shall report as irrigated only the acreage for which the insured has adequate facilities and water to carry out a good irrigation practice at the time of seeding.

(b) Where irrigated acreage is insurable, any loss of production caused by failure to carry out a good irrigation practice, except failure of the water supply from an unavoidable cause occurring after the beginning of seeding, shall be considered as due to an uninsured cause. The failure or breakdown of irrigation equipment or facilities shall not be considered as a failure of the water supply from an unavoidable cause.

4. *Annual Premium.* (a) If there is no break in the continuity of participation, any premium adjustment applicable under subsection (c) of the policy shall be transferred to (1) the contract of the insured's estate or surviving spouse in case of death of the insured, (2) the contract of the person who succeeds the insured if such person had previously participated in the farming operation, or (3) the contract of the same insured who stops farming in one county and starts farming in another county.

(b) If there is a break in the continuity of participation, any reduction in premium earned under subsection (c) of this section shall not thereafter apply; however, any previous premium percentage adjustment factor(s) for unfavorable insurance experience shall apply following a break in continuity.

5. *Claim for and Payment of Indemnity.* (a) Any claim for indemnity on a unit shall be submitted to the Corporation on a form prescribed by the Corporation.

(b) In determining the total production to be counted for each unit, production from units on which the production has been

commingled will be allocated to such units in proportion to the liability on each unit.

(c) There shall be no abandonment to the Corporation of any insured wheat acreage.

(d) In the event that any claim for indemnity under the provisions of the contract is denied by the Corporation, an action on such claim may be brought against the Corporation under the provisions of 7 U.S.C. 1508(c): *Provided*, That the same is brought within one year after the date notice of denial of the claim is mailed to and received by the insured.

(e) Any indemnity will be payable within 30 days after a claim for indemnity is approved by the Corporation. However, in no event shall the Corporation be liable for interest or damages in connection with any claim for indemnity whether such claim be approved or disapproved by the Corporation.

(f) If the insured is an individual who dies, disappears, or is judicially declared incompetent, or the insured is an entity other than an individual and such entity is dissolved after the wheat is seeded for any crop year, any indemnity will be paid to the person(s) the Corporation determines to be beneficially entitled thereto.

(g) The Corporation reserves the right to reject any claim for loss if any of the requirements of this section are not met and the Corporation determines that the amount of loss cannot be satisfactorily determined.

6. *Subrogation.* The insured (including any assignee or transferee) assigns to the Corporation all rights of recovery against any person for loss or damage to the extent that payment hereunder is made by the Corporation. The Corporation thereafter shall execute all papers required and take appropriate action as may be necessary to secure such rights.

7. *Termination of the Contract.* (a) The contract shall terminate if no premium is earned for five consecutive years.

(b) If the insured is an individual who dies or is judicially declared incompetent, or the insured entity is other than an individual and such entity is dissolved, the contract shall terminate as of the date of death, judicial declaration, or dissolution; however, if such event occurs after insurance attaches for any crop year, the contract shall continue in force through such crop year and terminate at the end thereof. Death of a partner in a partnership shall dissolve the partnership unless the partnership agreement provides otherwise. If two or more persons having a joint interest are insured jointly, death of one of the persons shall dissolve the joint entity.

8. *Coverage Level and Indemnity Price.* (a) If the insured has not elected on the application a coverage level and price election at which indemnities shall be computed from among those shown on the actuarial table, the applicable coverage level and price which shall be applicable under the contract, and which the insured shall be deemed to have elected, shall be as provided on the actuarial table for such purposes.

(b) The insured may, with the consent of the Corporation, change the coverage level and/or price election for any crop year on or before the closing date for submitting applications for that crop year.



9. *Collateral Assignment.* Upon approval of a form prescribed by the Corporation, the insured may assign to another party the right to an indemnity for the crop year and such assignee shall have the right to submit the loss notices and forms as required by the contract.

10. *Contract Changes.* The Corporation reserves the right to change any terms and provisions of the contract from year to year. Any changes shall be mailed to the insured or placed on file and made available for public inspection in the office for the county at least 15 days prior to the cancellation date preceding the crop year for which the changes are to become effective, and such mailing or filing shall constitute notice to the insured. Acceptance of any changes will be conclusively presumed in the absence of any notice from the insured to cancel the contract as provided in section 12.

NOTE.—The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, and OMB Circular No. 840.

Approved by the Board of Directors on December 20, 1978.

Dated: December 20, 1978.

PETER F. COLE,  
Secretary, Federal Crop  
Insurance Corporation.

Approved by:

JAMES D. DEAL,  
Manager, Federal Crop  
Insurance Corporation.

Dated: December 20, 1978.

[FR Doc. 79-2405 Filed 1-22-79; 8:45 am]

[3410-02-M]

Agricultural Marketing Service

[7 CFR Part 1011]

[Docket No. AO-251-A21]

#### MILK IN THE TENNESSEE VALLEY MARKETING AREA

Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and To Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

**SUMMARY:** This decision recommends certain changes in the order provisions pertaining to pooling standards for supply plants based on industry proposals considered at a public hearing held September 13, 1978. The recommended amendments would allow a pool supply plant to meet its shipping requirements through both transfers and diversions of milk from the supply plant to pool distributing plants, rather than just through transfers. However, no more than half of the required shipments could be by di-

versions. The changes would permit milk to be moved more efficiently from farms to distributing plants for fluid use.

DATE: Comments are due on or before February 12, 1979.

ADDRESS: Comments (four copies) should be filed with the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

#### FOR FURTHER INFORMATION CONTACT:

Richard A. Glandt, Marketing Specialist, Dairy Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202) 447-4829.

#### SUPPLEMENTARY INFORMATION:

Prior documents in this proceeding: Notice of Hearing—Issued August 23, 1978; published August 28, 1978 (43 FR 38412).

#### PRELIMINARY STATEMENT

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Tennessee Valley marketing area, and of the opportunity to file written exceptions thereto. This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 *et seq.*), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Interested parties may file written exceptions to this decision with the Hearing Clerk, Room 1077, South Building, United States Department of Agriculture, Washington, D.C., 20250, by the 20th day after publication of this decision in the FEDERAL REGISTER. Four copies are required. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The hearing on the record of which the proposed amendments, as herein-after set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Knoxville, Tennessee, on September 13, 1978, pursuant to notice thereof.

The material issues on the record of the hearing relate to:

1. Pooling standards for supply plants.
2. Diversions of producer milk.
  - (a) Diversions between pool plants.
  - (b) Diversions to nonpool plants.
  - (c) Identification of overdiverted milk.

#### 3. Conforming changes.

#### FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Pooling standards for supply plants.* The order should provide that a supply plant may qualify for pool status on the basis of both transfers and diversions of milk from the supply plant to pool distributing plants. However, such qualification credit for diversions should be limited to not more than one-half of the total required shipments.

The order currently affords pool status to any plant that transfers to pool distributing plants not less than 50 percent of its milk receipts from dairy farmers and cooperative association bulk tank handlers. A plant that so qualifies each month during August through March may retain pool status during the following months of April through July without shipping any milk to pool distributing plants.

Kraft, Inc., a proprietary handler, proposed that milk moved directly from producers' farms to pool distributing plants by a supply plant operator be considered as qualifying shipments in determining pool status for such supply plant. As part of a package of proposals to provide for this, Kraft proposed amending the order to allow unlimited diversions between pool plants. A discussion of this proposal appears elsewhere in this decision. Proponent also proposed certain other conforming changes in order provisions.

A witness for proponent testified that Kraft operates a pool supply plant located at Greeneville, Tennessee, that receives milk from farms located in nine Tennessee counties. The milk is then reloaded and transferred from the supply plant to a pool distributing plant at Knoxville, Tennessee. According to the Kraft spokesman, approximately 50 percent of the supply plant's milk is obtained from farms located such that the milk could move more economically directly from the farms to the Knoxville plant. He noted, however, that under current order provisions Kraft cannot be the handler on milk that is direct-shipped to another handler's pool plant.

The spokesman testified that Kraft has an agreement to supply milk to the Knoxville plant. He stated that it was Kraft's intent to utilize in its non-pool cheese manufacturing plant, also located in Greeneville, Tennessee, any milk produced by the supply plant's regular producers that is not needed for fluid use at the Knoxville distributing plant. Thus, Kraft wishes to be the handler on the milk associated with its supply plant operation in



order to maintain the payrolling function on its milk, even when delivered directly from farms to the Knoxville distributing plant. The witness testified that allowing milk to be diverted to the Knoxville distributing plant would eliminate about 2,400 truck miles weekly, thus improving the overall efficiency of the supply plant operation. He also claimed that the elimination of unnecessary pumping would help maintain the quality of the milk.

Dairymen, Inc. (DI), a dairy farmer cooperative whose members supply more than 85 percent of the producer milk on the market, opposed the adoption of the Kraft proposals. The cooperative's spokesman contended that marketing conditions do not warrant the order changes proposed by Kraft. He maintained that adoption of the proposals would merely make it easier for Kraft to pool a Grade A milk supply for its cheese plant.

DI's witness expressed the view that marketing efficiency was not the major concern here. To support this, he maintained that conditions in this market do not require milk to move through a supply plant in order to be delivered to a distributing plant. He held that milk supplies can move directly from the farm to plants located in, or near, the Tennessee Valley marketing area. He stated that "the operation of a supply plant in conjunction with a manufacturing grade milk plant is not a necessary or an efficient procedure for supplying milk to handlers." The DI spokesman maintained that if a distributing plant operator wants a supply of milk from producers who are not members of a cooperative the distributor should be the responsible handler for the milk rather than a supply plant operator and the milk should be received directly from farms.

DI's witness contended that adoption of the proposals would permit the operator of a supply plant to pool its milk in effect on the same basis as now provided for pooling a balancing plant of a cooperative association, i.e., on the basis of the total performance of the handler rather than just on the performance of the handler's plant. He noted, however, that under the proposed provisions a cooperative would be able to pool its balancing plant as a supply plant under the less stringent pooling standards proposed for supply plants. He opposed this on the basis that current marketing conditions do not warrant a reduction in the present order requirements for qualifying a balancing plant as a pool plant. In addition, he noted that a balancing plant must be located in the marketing area in order to be a pool plant. He pointed out that this requirement would not apply to a supply plant under the Kraft proposals. The

cooperative's witness expressed concern that the proponent, as well as other handlers, including DI, thus could "ride the pool" by pooling plants that otherwise would have no association with the Tennessee Valley market.

It may be, as DI contends, that moving milk directly from farms to distributing plants is the most efficient way to handle producer milk associated with the Tennessee Valley order. Nevertheless, the order provides for the pooling of supply plants and Kraft is operating a supply plant that meets the pooling standards of the order. The present pooling standards require a supply plant operator to transfer at least 50 percent of his receipts at the supply plant to pool distributing plants. Stated another way, 50 percent of the supply plant's milk must be made available to meet the fluid milk needs of the market. Once this requirement is met, the supply plant's total supply of milk has pool status, and the supply plant operator may dispose of the remaining 50 percent in whatever way he desires. Whether this kind of pooling standard is inappropriate for this market was not an issue at this hearing.

The Kraft supply plant first became a pool plant in September 1977 and at the time of the hearing had been a pool plant for one year. During that time, the plant's total supply of Grade A milk was received at the supply plant and then transferred to the distributing plant at Knoxville. A number of the farms that deliver milk to the supply plant are located between Greeneville and Knoxville. Many are closer to the distributing plant than they are to the supply plant. One such farm is approximately three miles from the distributing plant, and about 75-80 miles from the supply plant.

At the time of the hearing, Kraft was obtaining Grade A milk from farms located in nine Tennessee counties, which include territory around Greeneville and also between Greeneville and Knoxville. Kraft indicated that if its proposals were adopted, milk from farms in Greene, Hawkins and Washington Counties would continue to be moved to the supply plant, and then be shipped to Knoxville when needed. Milk produced on farms in Claiborne, Cocke, Hamblen, Jefferson, Knox and Sevier Counties, on the other hand, would then be moved directly to the Knoxville distributing plant. The milk from these six counties approximates 50 percent of the total Grade A supply currently pooled by Kraft, when not needed in Knoxville for fluid use, Kraft indicated that this latter milk would be moved to either the supply plant or the manufacturing plant at Greeneville.

The order should promote efficient milk handling practices by permitting a supply plant operator to move part of his milk supplies directly from farms to distributing plants and count them as part of his supply plant shipments. There are obvious savings in hauling costs that could be achieved in this market under such an arrangement. In addition, extra pumping of milk in reloading operations could be avoided, which would help preserve the high quality of the milk that distributors demand.

Adoption of this provision should not lessen in any way the effectiveness of the pooling standards. A supply plant operator would still have to make available to pool distributing plants not less than 50 percent of his Grade A milk that is associated with the supply plant.

Although the order should recognize a supply plant operator's deliveries of milk directly from producers' farms to pool distributing plants, a supply plant should not be able to qualify for pooling solely on the basis of such deliveries. Otherwise, there would be little discernible difference from an operational standpoint between a supply plant and a cooperative association balancing plant. Yet, the pooling standards for the two types of plants would be different.

Adoption of Kraft's proposal without any limitation on diversions would enable a supply plant to qualify as a pool plant without being required to transfer any milk from the supply plant to distributing plants. Pooling status could be achieved as long as the plant operator delivered at least half of his milk supply to pool distributing plants, which could be entirely by deliveries directly from farms. A similar method of pooling is now available to a cooperative association in the case of its balancing plant. However, the plant must be located in the marketing area and the cooperative must deliver at least 60 percent of its members' milk to pool distributing plants during each month of the year. No automatic pooling status is provided during the heavy production months, as is the case for supply plants.

Since there presumably would be little difference in the supply arrangements of the two types of handlers, the question arises as to whether any difference in the pool plant performance standards for a cooperative's balancing plant and for a handler's supply plant can be justified. The record does not support the pooling of a balancing plant under the pool standards now applicable to supply plants. On the other hand, it must be presumed that Kraft did not contemplate for its supply plant the establishment of the higher or more stringent



performance level that now applies to balancing plants.

When a cooperative has a high overall level of performance in supplying and balancing the fluid milk needs of handlers, its balancing plant may have pool status without meeting specific plant performance criteria. This recognizes that a balancing plant provides an efficient means whereby handlers buying milk from the cooperative may adjust their receipts from day-to-day to fit their bottling needs and at the same time have assurance through arrangements with the cooperative that milk will always be available for fluid use as needed.

Accordingly, to maintain some distinction between the two types of plants, the order should not permit more than one-half of the milk movements by a supply plant operator to be in the form of diversions to distributing plants. Under the current operating situation, this should still basically accommodate the needs of Kraft. At the same time, the order would continue to base a supply plant's eligibility for pooling to a significant degree on transfers of milk from the supply plant to distributing plants.

2. *Diversions of producer milk.* In connection with its proposal to change the supply plant pooling standards, Kraft proposed that the order be amended to (a) permit a pool plant operator to divert milk from such plant to other pool plants on a unlimited basis, (b) increase the amount of milk a handler may divert to nonpool plants, and (c) provide a procedure for determining which milk shall not be pooled under the order when a handler overdiverts milk to nonpool plants.

a. *Diversions between pool plants.* The order should be amended to allow the operator of a pool plant to divert milk from such plant to another pool plant on any number of days during the month.

At the hearing, Kraft's witness testified that under the current order provisions Kraft must physically receive the milk of a producer at its pool supply plant in Greeneville, Tennessee, and then transfer the milk to a pool distributing plant in Knoxville, Tennessee, in order to maintain the payroll responsibility and accountability for such milk. Kraft contended that this method of operation has resulted in additional expense for the handler since the farms of some producers are closer to Knoxville than Greeneville. Kraft proposed, therefore, that the order be amended so that milk of producers associated with the Greeneville supply plant could be diverted from such plant to the Knoxville distributing plant as needed. Thus, Kraft could be the handler,

even though the milk moved directly from the farm to another pool plant.

The order should promote the efficient handling of milk by permitting diversions between pool plants. This change will implement the supply plant modification adopted in this decision, as described earlier. It also will facilitate simplified accounting procedures with respect to producer milk weights, butterfat tests and payrolling. Under this procedure, the diverting handler may retain payroll responsibility for a producer's total monthly milk production, irrespective of the plant to which the milk may actually be delivered. This additional operating flexibility will permit a pool plant operator to avoid uneconomic movements of milk for the purpose of being the accountable handler and paying the producer for all of his milk deliveries during the month.

Diversions to pool plants should be distinguished from diversions to nonpool plants in that when milk is diverted to another pool plant there is no question about its eligibility for pooling. Thus, no purpose would be served by placing a limitation on diversions of milk between pool plants and none is provided.

The pricing point for milk diverted from a pool plant to another pool plant should be the same as currently provided under the order for milk diverted to a nonpool plant, as was proposed by Kraft. Hence, the milk would be priced at the location of the plant to which it is diverted.

The order now excludes milk received at a supply plant by diversion from plants regulated under other orders and by transfer from other plants in determining how much of a pool supply plant's receipts must be shipped to distributing plants. Thus, a supply plant that is a manufacturing plant may receive surplus milk from other plants without affecting its qualification as a pool plant under the order. For the same reason, milk received at a supply plant by diversion from other pool plants should be excluded as a receipt for determining the pool status of the supply plant.

(b) *Diversions to nonpool plants.* A proposal to base allowable diversions to nonpool plants by pool plant operators and cooperatives on a handler's total producer milk supply, thereby increasing the limit on such diversions, should not be adopted. However, in conjunction with the change described earlier that would permit diversions between pool plants, such diversions by a pool plant operator should be counted along with the producer milk that he physically receives at his pool plant in determining how much milk he can divert to nonpool plants.

The current order provides that the total quantity of milk diverted to non-

pool plants by a cooperative may not exceed one-third of the producer milk that the cooperative caused to be delivered to pool plants during the month. The operator of a pool plant may divert an amount of milk equal to not more than one-third of the producer milk that is physically received during the month at such plant that is eligible for diversion by the plant operator.

Kraft, Inc., proposed that a cooperative association be permitted to divert to nonpool plants up to one-third of the producer milk it caused to be delivered to or diverted from pool plants during the month. Also, a pool plant operator would be permitted to so divert up to one-third of his total producer milk supply, i.e., milk physically received at such plant plus diversions from the plant to pool and nonpool plants.

In supporting the adoption of the proposal, Kraft's witness testified that at the present time all of the producer milk associated with the Greeneville supply plant is needed to supply the distributing plant in Knoxville. He indicated, however, that Kraft expected to divert milk off the market in the near future as its Grade A supplies increase, and eventually in quantities greater than could be accommodated under the present provisions. This anticipation was the basis for the proposal to increase allowable diversions to nonpool plants.

Dairymen, Inc. (DI), opposed the adoption of the proposal on the basis that it would increase allowable diversions to nonpool plants. A witness for the association testified that an increase is not needed since such diversions generally have been far below the level currently permissible under the order.

Kraft's operation has been such that up to the time of the hearing, no milk had been diverted from the supply plant. Any increase in the diversion limits should be based on actual operating experience. Only in this way can there be a proper assessment of whether such a change is in fact needed.

It is noted that other information on the record does not suggest a need for increasing the diversion limits. An exhibit entered by DI set forth the quantity of the association's diversions to nonpool plants each month since the merged order became effective on October 1, 1976. During such months when diversions were limited (October 1976-March 1977 and August 1977-March 1978), DI's diversions averaged only 16 percent of its deliveries to pool plants. During those same months, the market's Class I utilization averaged 77 percent. Since DI supplies over 85 percent of the milk pooled under the order, it is evident that the present



limit on allowable diversions is accommodating the handling of a very large proportion of the milk on the market. Therefore, current marketing conditions do not indicate that an increase in the base for computing allowable diversions to nonpool plants is warranted. Accordingly, the Kraft proposal is denied.

With the adopted change that would permit diversions between pool plants, a pool plant operator's "base" for computing allowable diversions to nonpool plants would be reduced by the quantity of producer milk diverted to other pool plants in the absence of any corollary change in what the base should include. In recognition of this, the base for determining allowable diversions to nonpool plants should include all of the pool plant operator's producer milk that is received at pool plants, i.e., physical receipts at the plant plus diversions from such plant to other pool plants. This is consistent with present order provisions that permit a cooperative to divert milk to nonpool plants based on its total producer milk deliveries that are physically received at pool plants.

Since a pool plant operator that diverts milk to another pool plant would be accountable to the pool for such milk, the operator should get credit for such milk as a basis for diversions to nonpool plants. Conversely, the operator of the pool plant where the milk is physically received should not be eligible to divert milk on the basis of such receipts of milk.

Assuming a given amount of producer milk, this change would not allow a handler to divert any more milk to nonpool plants under the proposed amended order than may be so diverted under the present order provisions. It would, however, maintain the present level of allowable diversions to nonpool plants, which the record demonstrates is adequate to efficiently dispose of the market's reserve milk supplies. For the foregoing reasons, this modification should be adopted.

(c) *Identification of overdiverted milk.* The order should be amended to provide a procedure for identifying the milk that would lose pool status if a handler overdiverts milk to nonpool plants. As provided herein, the quantity of milk diverted in excess of the diversion allowance would not be producer milk. Also, if the diverting handler fails to designate the dairy farmers' deliveries that are not producer milk, no milk diverted to nonpool plants by the handler would be producer milk.

The current order does not specify which milk shall be depooled in the event a handler's total diversions to nonpool plants exceed the maximum allowance specified in the order. The order now covers only the situation

where diversions by a cooperative from a pool plant of another handler would cause such plant to be a nonpool plant. In such cases, the order provides that the cooperative shall designate the dairy farmer deliveries that are not producer milk. If the cooperative fails to make such designation, no milk diverted by the handler to nonpool plants shall be producer milk.

Kraft, Inc., proposed that if total diversions exceed the allowance, then the diverting handler may designate the dairy farmers whose diverted milk will not be considered producer milk. If a handler fails to make such designation, the milk last diverted—in lots of an entire day's production—would be excluded first in determining which milk should not be producer milk.

Dairymen, Inc., supported the current order provisions. A spokesman for the cooperative pointed out that Kraft's proposal would not provide a procedure for identifying which milk would lose pool status when diversions by a cooperative from a pool plant of another handler would result in nonpool status for such plant. He also maintained that no marketing conditions exist or are expected to occur that would justify such a change.

The order should continue to provide the present method of determining which producers' milk should not be qualified as producer milk when a cooperative's diversions to nonpool plants would cause a plant to lose pool status. This procedure apparently has served the market well and should be retained. The same procedure should be adopted for determining which milk will not be producer milk in the case of any handler—proprietary or cooperative—that overdiverts milk to nonpool plants, i.e., the diverting handler should be responsible for specifying which dairy farmers' milk shall not be producer milk. The diverting handler is accountable to the pool for the producers' milk and therefore is in the best position to select the producer deliveries which should not be producer milk.

If the diverting handler fails to designate the dairy farmers' deliveries that are to be excluded as producer milk, no milk diverted by the handler to nonpool plants should be producer milk. This procedure is consistent with present provisions and would adequately provide a means for disqualifying milk when over-diversions occur. It represents a feasible alternative to the procedure that Kraft proposed.

3. *Conforming changes.* The current order does not provide for diversions between pool plants, and thus the classification and shrinkage provisions do not cover this type of milk movement. Since such diversions are provided in this decision, certain corollary changes

in the classification and shrinkage provisions, as proposed by Kraft, are warranted and the order is appropriately revised to reflect these considerations.

Kraft proposed a conforming change in a paragraph dealing with the classification of transfers to producer-handlers and transfers and diversions to governmental agency plants (§1011.42(c)(1)). The order changes adopted in this decision would in no way change the application of that paragraph. For this reason, no change appears to be warranted.

The present order provides that a cooperative may qualify a balancing plant for pooling on the basis of shipments directly from the farm to pool distributing plants. This decision would also permit a supply plant to count such shipments for qualification purposes. Since a cooperative could operate both a balancing plant and a supply plant, it is necessary to provide that the same shipments not be used to qualify two plants of the cooperative for pooling. The changes in the balancing plant definition provided herein will assure this.

A change should be made in the definition of a handler with respect to a cooperative association as a handler for bulk tank milk delivered to pool plants of other handlers (§1011.9(c)). Since a cooperative may choose to utilize diversions to pool plants for qualifying a supply plant that it operates, the paragraph specified above is revised to exclude such milk. Also, the handler definition with respect to a cooperative association as a handler on milk diverted for its account to nonpool plants (§1011.9(b)) is revised to exclude milk that the cooperative diverts to a nonpool plant from a pool plant operated by the cooperative. These changes are necessary to make it clear that milk diverted to any other plant from a pool plant operated by the cooperative should be reported as a receipt and a disposition from the pool plant, and not on a report otherwise filed by the cooperative in any other capacity as a handler.

#### RULINGS ON PROPOSED FINDINGS AND CONCLUSIONS

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.



## GENERAL FINDINGS

The findings and determinations hereinafter set forth supplement those that were made when the order was first issued and when it was amended. The previous findings and determinations are hereby ratified and confirmed, except where they may conflict with those set forth below.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the tentative marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

## RECOMMENDED MARKETING AGREEMENT AND ORDER AMENDING THE ORDER

The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended. The following order amending the order, as amended, regulating the handling of milk in the Tennessee Valley marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. In § 1011.7, paragraphs (b) and (d) are revised to read as follows:

## § 1011.7 Pool plant.

(b) A plant, other than a plant described in paragraph (a) of this section, from which not less than 50 percent of the total quantity of milk approved by a duly constituted regulatory agency for fluid consumption that is physically received from dairy farmers (except by diversion from other plants) and handlers described in § 1011.9(c) at such plant or diverted therefrom pursuant to § 1011.13 during the month is shipped from

such plant as fluid milk products, except filled milk, to pool plants pursuant to paragraph (a) of this section. The operator of such a plant may include milk diverted pursuant to § 1011.13(c) from such plant to plants described in paragraph (a) of this section as qualifying shipments in meeting up to one-half of the shipping percentage specified in this paragraph.

(d) A plant located in the marketing area that is operated by a cooperative association if pool plant status under this paragraph is requested for such plant by the cooperative association and during the month 60 percent or more of the producer milk of members of such cooperative association, excluding such milk that is received at or diverted from pool plants described in paragraph (b) of this section but including milk delivered by such cooperative as a handler described in § 1011.9(c), is delivered directly from their farms to pool plants described in paragraph (a) of this section or is transferred to such plants as a bulk fluid milk product from the plant of the cooperative association, subject to the following conditions:

(1) The plant does not qualify as a pool plant under paragraph (a), (b) or (c) of this section or under the provisions of another Federal order applicable to a distributing plant or a supply plant; and

(2) The plant is approved by a duly constituted regulatory agency to handle milk for fluid consumption.

2. In § 1011.9, paragraphs (b) and (c) are revised to read as follows:

## § 1011.9 Handler.

(b) A cooperative association with respect to milk of producers diverted to nonpool plants for the account of such association pursuant to § 1011.13, excluding the milk of producers diverted by the association as a handler pursuant to paragraph (a) of this section;

(c) Any cooperative association with respect to milk, excluding the milk of producers diverted to pool plants by the association as a handler pursuant to paragraph (a) of this section, that it receives for its account from the farm of a producer for delivery to a pool plant of another handler, in a tank truck owned and operated by, or under the control of, such cooperative association, unless both the cooperative association and the operator of the pool plant notify the market administrator prior to the time that such milk is delivered to the pool plant that the plant operator will be the handler of

such milk and will purchase such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples. Milk for which the cooperative association is the handler pursuant to this paragraph shall be deemed to have been received by the cooperative association at the location of the pool plant to which such milk is delivered;

3. Section 1011.13 is revised to read as follows:

## § 1011.13 Producer milk.

"Producer milk" means the skim milk and butterfat contained in milk of a producer that is:

(a) Received at a pool plant directly from such producer by the operator of the plant, excluding such milk that is diverted from another pool plant;

(b) Received by a handler described in § 1011.9(c); or

(c) Diverted from a pool plant for the account of the handler operating such plant to another pool plant or diverted from a pool plant to a nonpool plant (other than a producer-handler plant) for the account of the handler operating such pool plant or for the account of a handler described in § 1011.9(b), subject to the following conditions:

(1) A producer's milk may be diverted to another pool plant without limit in any month, and may be diverted to a nonpool plant without limit during any month of April through July;

(2) In any month of August through March, a producer's milk shall not be eligible for diversion to a nonpool plant unless at least two days' production from such producer is physically received at a pool plant during the month;

(3) In any month of August through March, the total quantity of milk diverted to nonpool plants during the month by a cooperative association shall not exceed one-third of the producer milk that the cooperative association caused to be delivered to, and is physically received at, pool plants during the month;

(4) The operator of a pool plant that is not a cooperative association may divert any milk that is not under the control of a cooperative association that diverts milk during the month pursuant to paragraph (c)(3) of this section. In any month of August through March, the total quantity of milk so diverted to nonpool plants shall not exceed one-third of the milk that is physically received at pool plants as producer milk for which the plant operator is the handler;

(5) Any milk diverted to nonpool plants in excess of the limits prescribed in paragraph (c) (3) and (4) of



this section shall not be producer milk. The diverting handler shall designate the dairy farmer deliveries that will not be producer milk pursuant to paragraph (c) (3) or (4) of this section. If the handler fails to make such designation, no milk diverted by such handler to a nonpool plant shall be producer milk;

(6) To the extent that it would result in nonpool status for the pool plant from which diverted, milk diverted for the account of a cooperative association to nonpool plants from the pool plant of another handler shall not be producer milk;

(7) The cooperative association shall designate the dairy farmer deliveries that are not producer milk pursuant to paragraph (c)(6) of this section. If the cooperative association fails to make such designation, no milk diverted by it to a nonpool plant shall be producer milk; and

(8) Diverted milk shall be priced at the location of the plant to which diverted.

4. In § 1011.41, paragraph (b)(2) is revised to read as follows:

#### § 1011.41 Shrinkage.

(b) \*\*\*

(2) Plus 1.5 percent of the skim milk and butterfat, respectively, in milk received from a handler described in § 1011.9(c) and in milk diverted to such plant from another pool plant, except that in either case, if the operator of the plant to which the milk is delivered purchases such milk on the basis of weights determined from its measurement at the farm and butterfat tests determined from farm bulk tank samples, the applicable percentage under this subparagraph shall be two percent;

5. In § 1011.42, paragraph (a) is revised to read as follows:

#### § 1011.42 Classification of transfers and diversions.

(a) *Transfers and diversions to pool plants.* Skim milk or butterfat transferred or diverted in the form of a fluid milk product or a bulk fluid cream product from a pool plant to another pool plant shall be classified as Class I milk unless the operators of both plants request the same classification in another class. In either case, the classification of such transfers or diversions shall be subject to the following conditions:

(1) The skim milk or butterfat classified in each class shall be limited to the amount of skim milk and butterfat, respectively, remaining in such class at the transferee-plant or diver-

tee-plant after the computations pursuant to § 1011.44(a)(12) and the corresponding step of § 1011.44(b).

(2) If the transferor-plant or diverter-plant received during the month other source milk to be allocated pursuant to § 1011.44(a)(7) or the corresponding step of § 1011.44(b), the skim milk or butterfat so transferred or diverted shall be classified so as to allocate the least possible Class I utilization to such other source milk; and

(3) If the transferor-handler or diverter-handler received during the month other source milk to be allocated pursuant to § 1011.44(a)(11) or (12) or the corresponding steps of § 1011.44(b) the skim milk or butterfat so transferred or diverted, up to the total of the skim milk and butterfat, respectively, in such receipts of other source milk, shall not be classified as Class I milk to a greater extent than would be the case if the other source milk had been received at the transferor-plant or diverter-plant.

(This recommended decision constitutes the Department's Draft Impact Analysis Statement for this proceeding.)

Signed at Washington, D.C., on January 18, 1979.

JAMES E. SPRINGFIELD,  
Acting Deputy Administrator,  
Marketing Program Operations.

[FR Doc. 79-2322 Filed 1-22-79; 8:45 am]

#### [1505-01-M]

[7 CFR Ch. IX]

[Docket No. AO-382]

#### MELONS GROWN IN SOUTH TEXAS

Hearing on Proposed Marketing Agreement  
and Order

Correction

In FR Doc. 78-30729, appearing at page 50685 in the issue of Tuesday, October 31, 1978, on page 50690, in the first column the first paragraph designated as paragraph "(3)", insert in the first line the following words "of the inspection" between the words "Identification" and "certificates".

#### [6320-01-M]

#### CIVIL AERONAUTICS BOARD

[14 CFR Part 300]

[PDR-60, Docket 34512, Dated January 18, 1979]

#### RULES OF CONDUCT IN BOARD PROCEEDINGS

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Proposed Rule-making.

SUMMARY: The Board, on its own initiative, is inviting public comment on an amendment to the Board's *ex parte* rules, which appears in this issue of the FEDERAL REGISTER. The amendment permits Board employees in non-hearing cases to consult with other federal agencies and in certain small community air service cases to consult with interested persons. A written summary of any such communication will have to be placed in the docket for the case. In addition, the amendment would conform the definition of the class of communications barred by the rule to match the definition given in the Administrative Procedure Act of proscribed *ex parte* communications.

DATES: Comments by February 23, 1979. Comments and other relevant information received after this date will be considered by the Board only to the extent practicable.

ADDRESSES: Twenty copies of comments should be sent to Docket 34512, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Individuals may submit their views as consumers without filing multiple copies. Comments may be examined in Room 711, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C., as soon as they are received.

#### FOR FURTHER INFORMATION CONTACT:

Thomas L. Ray, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C., 20428, 202-673-5424.

(Sections 204 and 1001 of the Federal Aviation Act of 1958 as amended, 72 Stat. 743, 788, 49 U.S.C. 1324, 1481).

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,  
Secretary.

[FR Doc. 79-2340 Filed 1-22-79; 8:45 am]

#### [3510-13-M]

#### DEPARTMENT OF COMMERCE

National Bureau of Standards

[15 CFR Parts 200, 275]

#### APPEARANCE OF NBS EMPLOYEES AS WITNESSES IN PRIVATE LITIGATION

Proposed Policies and Procedures

AGENCY: National Bureau of Standards, Department of Commerce.

ACTION: Proposed rulemaking.

SUMMARY: These proposed rules would prescribe NBS policy governing the appearance of NBS employees as witnesses in private litigation. The



rules would establish the general principle against the appearance of NBS employees in such litigation, and would prescribe procedures to be followed by private litigants in seeking appearances by NBS employees and procedures for considering and responding to requests or orders for their appearance. The purpose of these rules is to maintain NBS' neutrality among private litigants and to ensure that NBS employees adhere to the performance of their official duties.

**DATE:** Comments must be received on or before March 9, 1979.

**ADDRESS:** Send comments to Allen J. Farrar, Office of the Legal Adviser, National Bureau of Standards, Washington, D.C. 20234.

#### FOR FURTHER INFORMATION CONTACT:

Allen J. Farrar, Office of the Legal Adviser, National Bureau of Standards, Washington, D.C. 20234, telephone 301-921-2425.

#### SUPPLEMENTARY INFORMATION:

This proposed rulemaking would amend title 15 of the Code of Federal Regulations by adding a new Subchapter H and a new Part 275 prescribing policies and procedures governing the appearance of NBS employees as witnesses in private litigation, and by making a conforming amendment to Part 200.

While these rules relate to agency personnel practices and, as such, are not subject to the notice-and-comment requirements of the Administrative Procedure Act or the procedures of Executive Order 12044, the impact of these rules on persons outside NBS is recognized. Accordingly, interested persons are invited to participate in the proposed rulemaking by submitting comments in accordance with the foregoing information.

Dated: January 17, 1979.

ERNEST AMBLER,  
Director.

The following proposals are under consideration:

#### PART 200—POLICIES, SERVICES, PROCEDURES AND FEES

1. Amending 15 CFR Part 200 by revising paragraph (a) of § 200.104 to read as follows:

§ 200.104 Consulting and advisory services.

(a) In areas of its special competence, the National Bureau of Standards offers consulting and advisory services on various problems related to measurement, e.g., details of design and construction, operational aspects, unusual or extreme conditions, methods of statistical control of the meas-

urement process, automated acquisition of laboratory data, and data reduction and analysis by computer. Brief consultation may be obtained at no charge; the fee for extended effort will be based upon actual costs incurred. The services outlined in this paragraph do not include services in connection with legal proceedings not involving the United States as a named party, nor to testimony or the production of data, information or records in such legal proceedings, which is governed by the policies and procedures set forth in Part 275 of this title.

2. Amending Chapter II of 15 CFR by adding a new Subchapter H and a new Part 275, reading as follows:

#### SUBCHAPTER H—REGULATIONS GOVERNING APPEARANCE OF NBS EMPLOYEES IN PRIVATE LITIGATION

#### PART 275—POLICIES AND PROCEDURES GOVERNING THE APPEARANCE OF NBS EMPLOYEES AS WITNESSES IN PRIVATE LITIGATION

##### Sec.

275.1 Purpose and policy.

275.2 Testimony or production of records by NBS employees in legal proceedings not involving the United States as a named party.

275.3 Certification of records.

275.4 Request or order for testimony or production of records.

275.5 Response to request or order for testimony or production of records.

**AUTHORITY:** The provisions of this Part 275 issued under sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277.

##### § 275.1 Purpose and policy.

(a) This part prescribes the policies and procedures of the National Bureau of Standards (NBS) with respect to testimony by NBS employees and production of data, information and records, in legal proceedings not involving the United States as a named party.

(b) NBS is the Federal agency responsible for the custody, maintenance, and development of the national standards of measurement, and the impartial development and application of measurement technologies upon which the flow of interstate and foreign commerce must necessarily depend (15 U.S.C. 272).

(c) To carry out its statutory mission effectively, NBS must apply the expertise of the many scientific and technical experts it employs exclusively to the performance of its official duties, including providing scientific and technical advisory services to other Federal agencies. It is essential that NBS also maintain a policy of strict impartiality among private litigants, and that it ensure that its employees adhere to the responsibilities for

which they were employed. To these ends, it is the policy of NBS that its employees shall not testify nor otherwise appear in legal proceedings not involving the United States or its officers or employees in their official capacity as a named party in order to produce data, information, or records which concern matters related to official duties of NBS employees or the functions of NBS.

(d) For purposes of this part, "legal proceeding" includes any civil or criminal proceeding before a court of law, administrative board or commission, hearing officer, or other body conducting a legal or administrative proceeding, or any discovery proceeding in support thereof, including depositions and interrogatories.

§ 275.2 Testimony or production of records by NBS employees in legal proceedings not involving the United States as a named party.

No NBS employee shall give testimony in any legal proceeding in which the United States Government or an agency or department in the Executive Branch is not a named party, concerning official duties of an NBS employee or any function of NBS, nor produce any data, information, or record created or acquired by NBS as a result of the discharge of its official duties, without the prior written authorization of the NBS Legal Adviser.

##### § 275.3 Certification of records.

Certified copies of NBS records will be provided upon request and payment of the applicable fees. Requests for certification should be addressed to the NBS Legal Adviser, National Bureau of Standards, Washington, D.C. 20234. The applicable fees include charges for certification and reproduction, the amounts of which are set out in § 4.9(a) (3) and (5) of title 15 of the Code of Federal Regulations. Other reproduction costs and postage fees, as appropriate, will also be borne by the requester.

##### § 275.4 Request or order for testimony or production of records.

(a) A request or order for testimony of, or the production of data, information, or records by, an NBS employee in a legal proceeding not involving the United States as a named party shall be addressed to the NBS Legal Adviser, National Bureau of Standards, Washington, D.C. 20234. A request or order for testimony shall be accompanied by an affidavit or, if that is not feasible, a statement setting forth the title of the case, the forum, the party's interest in the case, a recitation of the reasons for desiring and the intended use of the testimony, a general summary of the testimony desired, and a showing that (1) the desired testimony



is not reasonably available from other sources (including an explanation of such circumstances), and (2) no NBS record in certified form provided under § 275.3 could be introduced in evidence in lieu of the testimony or other appearance requested.

(b) Any employee of NBS who is served with a subpoena or other order for or who receives a request for, testimony or the production of data, information, or records shall immediately report the service or request to the NBS Legal Adviser.

**§ 275.5 Response to request or order for testimony or production of records.**

(a) Except for the production of payroll, leave, or similar administrative records that may be involved in legal proceedings involving an employee of NBS in other than that employee's official capacity, testimony or the production of data, information, or records in a legal proceeding not involving the United States shall be authorized only as a rare exception. Such exception shall be based only upon a determination by the NBS Legal Adviser that NBS has a significant interest in the legal proceeding and that the outcome may affect the implementation of present policies, or where other circumstances or conditions (including the showing required in paragraph (a) of § 275.4) make it necessary to provide the data, information, or records in the public interest.

(b) When an NBS employee receives a request or order for testimony or the production of data, information, or records, the NBS Legal Adviser shall determine whether such request or order is legally binding on the employee and whether compliance with such request or order is authorized. Upon making such determination, the NBS Legal Adviser shall accordingly instruct the employee who received such request or order.

(c) Unless otherwise expressly authorized by the NBS Legal Adviser, an employee who is requested or ordered to testify or produce data, information, or records in a legal proceeding not involving the United States as a named party shall respectfully decline to comply on the ground of the prohibition against compliance contained in this part. If a subpoena or other order is involved, the employee shall decline by appearing at the time and place specified (unless the NBS Legal Adviser determines, in consultation with the party seeking the testimony or other appearance, or the authority conducting the legal proceeding, as appropriate, that a written submission will be sufficient), accompanied by a representative of the Office of the NBS Legal Adviser, the United States Attorney's office, or the Department of Justice, as appropriate, and explaining

to the authority conducting the legal proceeding that this part prohibits the employee from complying.

(d) If an employee who follows the procedure in paragraph (c) of this section is ordered to show cause why he or she should not be cited for contempt, the NBS Legal Adviser shall request the Department of Justice to represent the employee.

(e) If the NBS Legal Adviser authorizes the testimony of an NBS employee, the Legal Adviser may arrange for the taking of the testimony by methods that are less disruptive of official activities of the employee than providing testimony in court or at a hearing. Testimony may, for example, be provided by affidavits, answers to interrogatories, written depositions, or depositions transcribed, recorded, or preserved by any other method allowable by law. Costs of providing testimony, including transcripts, will be borne by the party requesting the testimony.

[FR Doc. 79-2255 Filed 1-22-79; 8:45 am]

**[3510-25-M]**

Industry and Trade Administration

[15 CFR Parts 370, 371, 385, 390, and 399]

**EMBARGO OF UGANDA**

Extension of Date for Commenting on Proposed Implementation Rules

AGENCY: Industry and Trade Administration, Department of Commerce.

ACTION: Extension of comment period.

SUMMARY: On December 15, 1978 (43 FR 58571), the Department issued proposed regulations to implement the embargo on export trade with Uganda contained in Public Law 95-435 (which added section 4(m) to the Export Administration Act of 1969, as amended) and invited comments to be submitted through January 15, 1978. Because of the significant issues addressed in the proposed regulations, the Department is amending its former deadline to permit submission of comments through February 5, 1979. Comments are especially invited on the proposed definition of "person subject to the jurisdiction of the United States," both in the context of the Uganda embargo contained in section 4(m) of the Export Administration Act, as well as the general discretionary export control authority contained in section 4(b)(1) of that Act.

DATE: Comments must be received on or before February 5, 1979.

ADDRESSES: Written comments (six copies when possible) should be sent to Stanley J. Marcuss, Deputy Assistant Secretary, for Trade Regulation,

U.S. Department of Commerce, Post Office Box 7138, Ben Franklin Station, Washington, D.C. 20044.

**FOR FURTHER INFORMATION CONTACT:**

Oral communications or requests for further information should be directed to: Seymour Goodman, Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230, 202-377-4351.

NOTE.—Written public comments which are accompanied by a request that part or all of the material be treated confidentially because of its business proprietary nature or for any other reason will not be accepted. Such comments and materials will be returned to the submitter and will not be considered in the development of the regulations.

All public comments to be considered in the development of these regulations will be a matter of public record and will be available for public inspection and copying in accordance with regulations published in Part 4 of Title 15 of the Code of Federal Regulations. This procedure shall not, however, apply to communications from agencies of the United States or foreign governments.

(Sec. 4 Pub. L. 91-184, 83 Stat. 842 (50 U.S.C. App. 2403), as amended; sec. 5(d), Pub. L. 95-435, 92 Stat. 1501; E. O. 12002, 42 FR 35623 (1977); Department Organization Order 10-3, dated December 4, 1977, 42 FR 64721 (1977); and Industry and Trade Administration Organization and Function Order 45-1, dated December 4, 1977, 42 FR 64716 (1977).)

STANLEY J. MARCUSS,  
Deputy Assistant Secretary  
for Trade Regulation.

[FR Doc. 79-2338 Filed 1-22-79; 8:45 am]

**[8010-01-M]**

**SECURITIES AND EXCHANGE COMMISSION**

[10 CFR Part 240]

[Release No. 34-15503; File No. S7-769]

**OPTIONS TRADING BY USE OF THE FACILITIES OF A NATIONAL SECURITIES EXCHANGE**

Notice of Proposed Rules

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rulemaking.

SUMMARY: The Commission is publishing for comment two rule proposals which, if each is adopted, would: (1) Prohibit trading rotations in exchange-traded options from being conducted in a manner which the Commission believes may be unfair to the public, and (2) prohibit exchange options trading past a specified hour. The second rule proposal includes two alternative proposals addressing the



Commission's concerns about closing hours for options exchanges. These rules are being proposed, in part, to prevent unfair discrimination against public options orders during trading rotations and to promote fair and orderly markets in both exchange-traded options and their underlying securities.

**DATE:** Comments must be received on or before February 21, 1979.

**ADDRESS:** All comments should refer to File No. S7-769 and should be sent in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. All submissions will be made available for public inspection at the Commission's Public Reference Room, Room 6101, 1100 L Street, N.W., Washington, D.C.

#### FOR FURTHER INFORMATION CONTACT:

Beverly Jones or Janet Zimmer, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, (202) 755-7527 or 755-7718.

#### SUPPLEMENTARY INFORMATION:

This release invites public comment concerning the following rules proposed under the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. 78a et seq., as amended by Pub. L. 94-29 (June 4, 1975)]: (1) proposed Exchange Act Rule 9b-3 [17 CFR 240.9b-3] which, if adopted, would prohibit any national securities exchange from conducting or employing any trading rotation in an option class if, during the rotation, new options orders could not be placed on the limit order book or existing limit orders could not be cancelled, adjusted or replaced; and (2) two alternative rule proposals concerning options exchange closing hours as follows: (i) proposed Exchange Act Rule 9b-4(A) [17 CFR 240.9b-4(A)] which, if adopted, would prohibit exchange trading in options past 4 p.m. New York time; or (ii) proposed Exchange Act Rule 9b-4(B) [17 CFR 240.9b-4(B)] which, if adopted, would prohibit exchange trading in options past 4:10 p.m. New York time.

On October 18, 1978, the Commission invited comment on several related issues concerning daily options closing procedures and trading hours of the five national securities exchanges which list and trade standardized options (the "options exchanges").<sup>1</sup> The

Commission also announced the experimental implementation of uniform daily closing procedures and uniform closing times among the options exchanges.

The Commission approved this experimental program, in part, because of its concern about the manner in which daily closing rotations in non-expiring options<sup>2</sup> were conducted by some of the options exchanges. The Commission was also concerned about the problems created by the disparity in options exchange trading hours resulting from the use of closing rotations by some of those exchanges after the close of regular options trading. Since use of daily after-hours closing rotations could be resumed after the uniform closing trial period, the Commission announced that, during that four-month period, it might initiate steps to eliminate closing rotations through the exercise of its broad rule-making authority under the Exchange Act (particularly Section 9 thereof, 15 U.S.C. 78i) to mandate a uniform closing time and/or uniform closing procedures for all options exchanges.

Although proposed Rules 9b-4(A) and 9b-4(B) contained herein would, in effect, establish uniform closing hours for the options exchanges, none of the rule proposals would prohibit the use of closing rotations. Instead, the proposed rules would only prohibit the exchanges from conducting closing rotations or any other trading rotations in options in a manner which the Commission believes may be inimical to the public interest or otherwise inconsistent with the protection of investors.

These rules are being proposed pursuant to the Exchange Act and particularly Sections 2, 6(b), 9(b), 10(b), 11A, 15(c), and 23(a) thereof.<sup>3</sup>

#### BACKGROUND AND PURPOSE

A trading rotation is a procedure by which bids and offers are made and orders are executed in one option series at a time. During a rotation, the board broker (CBOE), order book official

(MSE, CBOE and PSE), or specialist (Amex and Phlx) calls for bids and offers from the crowd for each option series in his or her assigned classes, one series at a time, after the close of regular options trading. (The CBOE will initiate the use of order book officials in the near future. See Securities Exchange Act Release No. 15490, (January 11, 1979).) A "daily closing rotation" is a closing rotation conducted on a daily basis in non-expiring options (all options contracts which do not expire the following day).

<sup>1</sup> 15 U.S.C. 78b, 78i(b), 78j(b), 78k-1, 78o(c) and 78w(a).

cial (MSE, CBOE and PSE), or specialist (Amex and Phlx) calls for bids and offers from the trading crowd for each options series in his assigned classes, one series at a time. Once a market is established in that series, any orders on the limit order book (the "book")<sup>4</sup> at that price are executed, either by crossing the book orders or by trading with market participants on the floor. Until the rotation of a class is completed, usually only one options series at a time in that class is traded.

All of the exchanges currently conduct rotations to open options trading each day promptly after trading in the underlying security begins (hereinafter referred to as "opening rotations"). The exchanges conduct similar opening rotations to re-open trading in a particular options class after a trading halt or suspension of trading. Under unusual circumstances, generally involving a large influx of orders, the exchanges occasionally employ additional trading rotations in one or more options classes. In addition, commencing one hour before the close of regular options trading, all of the exchanges except for the Phlx conduct closing rotations in expiring options<sup>5</sup> series on the third Friday of each month, the day preceding the expiration date of the options (hereinafter referred to as "expiration Friday closing rotations"). Finally, prior to the uniform closing hour experiment, the CBOE, MSE and PSE conducted daily closing rotations after the close of regular options trading at 4:00 p.m. New York time.<sup>6</sup>

<sup>4</sup> A "limit order book" contains all limited price orders entrusted for execution to the board broker (CBOE), order book official (MSE, CBOE and PSE), or specialist (Amex and Phlx). This procedure enables on-floor market participants to place on the book public or principal limit orders which are away from the market for execution at a later time. Some of the exchanges permit only public orders to be placed on the book, while others also permit orders of securities professionals on the book.

<sup>5</sup> Expiring options consist of all options contracts expiring the following day.

<sup>6</sup> The rules of CBOE, MSE and PSE state that closing rotations shall commence at the close of trading hours (CBOE Rule 6.2.01(b); MSE Article XLII, Rule 1.01(b); and PSE Rule VI, Section 36). These rules have been suspended during the trial period. Daily closing rotations generally last for only a few minutes; in some instances, however, they have lasted for as long as 40 minutes after the close of regular options trading.

Amex and Phlx also filed, pursuant to Section 19(b)(1) of the Exchange Act [15 U.S.C. 78s(b)(1)], and Rule 19b-4 thereunder [17 CFR 240.19b-4], rule proposals (SR-Amex-78-6 and SR-Phlx-78-6) to adopt daily closing rotation procedures. Phlx has withdrawn its proposal pending the outcome of the extended trading hours experiment. Notice of SR-Amex-78-6 was given by publication of a Commission release (Securities Exchange Act Release No. 14550

Footnotes continued on next page

<sup>1</sup> See Securities Exchange Act Release No. 15241 (October 18, 1978), 43 FR 49867 (October 25, 1978). The options exchanges are the American Stock Exchange, Inc. ("Amex"); Chicago Board Options Exchange, Incorporated ("CBOE"); Midwest Stock Exchange, Incorporated ("MSE"); Philadelphia Stock



During each of the above trading rotations, some of the exchanges have not permitted new options orders to be placed on the book or existing book orders to be cancelled, adjusted or replaced. Exchange members on the trading floor, however, have been permitted to trade against customer orders already on the book. The Commission is concerned that this practice may not be in the public interest or consistent with the protection of investors.<sup>7</sup>

The Commission also is concerned about the problems created by the disparity in options exchange trading hours resulting from the use of after-hours closing rotations by some of the exchanges and not by others. Prior to the uniform closing hours experiment, the Amex and Phlx did not conduct daily closing rotations, but instead ceased all options trading at 4:00 p.m. New York time. In contrast, options trading on the CBOE, PSE and MSE continued throughout the closing rotations conducted by these exchanges after 4:00 p.m. The Commission is concerned that this situation might not be consistent with the maintenance of fair and orderly markets in exchange-listed options or in the securities underlying such options.<sup>8</sup>

On October 18, 1978, as an interim solution to some of these concerns, the Commission published notice of filing and announced the approval of rule proposals by the five options exchanges to extend, on an experimental basis, the regular trading hours for non-expiring options by ten minutes until 4:10 p.m. (E.S.T.) and also to suspend the use of daily closing rotations.<sup>9</sup> The four-month trial period for this experiment started on October 23, 1978 and will terminate on February 28, 1979.

In addition, the Commission announced that, during the trial period, it intended to explore the issues underlying its concerns in order to determine what closing procedures on options exchanges would best serve the public interest and ensure the maintenance of fair and orderly markets. The Commission, therefore, invited comment upon certain issues relating to options closing procedures.<sup>10</sup> The Com-

mission again invites comment on these issues.

The Commission today also invites public comment upon proposed Exchange Act Rules 9b-3, 9b-4(A) and 9b-4(B). The proposed rules are intended to promote a uniform closing time for exchange options trading<sup>11</sup> and to eliminate certain discriminatory practices which seem to occur during daily closing rotations and other trading rotations conducted on options exchanges. After the termination of the uniform closing hours experiment, therefore, options exchanges would be permitted to resume the use of daily closing rotations on a basis which the Commission believes would further the purposes of the Exchange Act.

#### DISCUSSION OF THE PROPOSED RULES

##### A. PROPOSED EXCHANGE ACT RULE 9b-3

Proposed Exchange Act Rule 9b-3 would prohibit an exchange from conducting or permitting to be conducted any trading rotation in options if, during such rotation, new orders could not be placed on the limit order book or existing book orders could not be cancelled, replaced or adjusted. During the rotation, however, an exchange would be permitted to preclude the entry of new book orders, or the cancellation or replacement of existing book orders, in any options series for which bids and offers had already been called in the rotation or which was in the process of being traded in the rotation.

The rule is designed to prevent options exchanges from conducting trading rotations in a manner which the Commission believes is unfair and discriminatory to the public. As discussed above, some of the options exchanges do not permit outstanding customer orders on the book at the commencement of a trading rotation to be re-

placed, cancelled or adjusted during the rotation;<sup>12</sup> at the same time, exchange members on the floor participating in the rotation may trade against those orders.<sup>13</sup> The Commission believes that customers whose orders are "locked" into the book under these circumstances may be unfairly disadvantaged.

During closing rotations, for instance, exchange members on the floor could adjust their options orders after the close to reflect their assessment of last sale information in the underlying securities and of corporate or other news announced between 4:00 p.m. New York time and completion of the closing rotation. Customers, however, could not similarly change their orders on the book in response to this information. Therefore, professionals on the floor could trade against those customer orders under circumstances especially favorable to the professionals.

In addition, opening rotations, rotations during unusual circumstances, and expiration Friday closing rotations are conducted while the markets in the underlying securities are open. Thus, customer orders on the book during such rotations are exposed to the risk of execution at a time when the market may move against the customer.

During trading rotations, some exchanges also preclude new options orders from being placed on the book. A customer can participate to a limited extent in a trading rotation in options by submitting an order to be placed on the book prior to the rotation or by submitting a new order to be represented in the trading crowd during the rotation.<sup>14</sup> The Commission does not believe, however, that the present means by which customers may participate in trading rotations mitigate the basic unfairness of permitting exchange members on the floor to adjust their orders and to trade against public orders "locked" into the book during trading rotations.

(1) Whether daily closing rotations as conducted on the CBOE, MSE and PSE were in the public interest and consistent with the protection of investors;

(2) Whether there is a legitimate public interest to be served by permanently extending options trading hours beyond the close of the principal exchange markets in the underlying securities (4:00 p.m. (E.S.T.)) and

(3) Whether the purposes of the [Exchange] Act, and in particular the goal of maintaining fair and orderly markets in options and their underlying securities, would best be served by a uniform 4:00 p.m. (E.S.T.) close of options trading.

See Exchange Act Release No. 15241. No comments have been received on these issues.

<sup>11</sup> While the proposed rules would not prevent the options exchanges from establishing closing hours earlier than those provided by the rules, it is likely that the business interests of the exchanges would encourage them to uniformly adopt the specified closing hour.

<sup>12</sup> This practice is a matter of exchange policy and is not contained in the rules of the options exchanges; except that, the rules of the CBOE, MSE and PSE provide a cut-off time for entry of orders onto the book prior to an opening rotation. Rule 7.4.02, CBOE Guide (CCH) ¶2224; Art. XLV, Rule 2.02, MSE Guide (CCH) ¶2082; Rule VI, Sec. 66(b).02, PSE Guide (CCH) ¶4265.

<sup>13</sup> Such persons may be trading as principal or as an agent for a customer.

<sup>14</sup> Some of the exchanges permit customers to participate in opening and closing rotations through means of opening rotation orders or market-on-close orders. An "opening rotation order" is a market order which is to be executed in whole or in part during the opening rotation of an options series or not at all. See e.g., Rule 6.53 (K), CBOE Guide (CCH) ¶2183. A market-on-close order is a market or limit order which is to be executed as close as possible to the closing bell or during the closing rotation. See e.g., Rule 6.53(c)(ii), CBOE Guide (CCH) ¶2183.

Footnotes continued from last page (March 10, 1978) and by a statement of the terms of substance in the FEDERAL REGISTER (43 FR 11625 (March 20, 1978)). Notice of SR-Phlx-78-6 was given by publication of a Commission release (Securities Exchange Act Release No. 14789 (May 22, 1978)) and by a statement of the terms of substance in the FEDERAL REGISTER (43 FR 23067 (May 30, 1978)). No comments were received on either rule filing.

<sup>7</sup> See discussion of proposed Rule 9b-3, *infra*.

<sup>8</sup> See discussion of proposed Rules 9b-4(A) and 9b-4(B), *infra*.

<sup>9</sup> See Exchange Act Release No. 15241.

<sup>10</sup> These issues are as follows:



The Commission recognizes that there may be overriding practical considerations which require the establishment of a cut-off time for the entry of new orders on the book or for the cancellation or adjustment of existing book orders. The exchanges which do maintain such a cut-off time before a trading rotation argue that this procedure is necessary in order to process and accommodate options orders in a fair and orderly manner. They assert that it is difficult for the book official to determine accurately a market in a particular options series if new orders are continuously coming in or if existing orders are rapidly being cancelled or replaced. The Commission, therefore, invites comment as to what practical problems proposed Rule 9b-3, if adopted, would create. In particular, the Commission is interested in whether there are special circumstances which would necessitate distinguishing between the entry of new orders and the cancellation, adjustment or replacement of existing book orders during trading rotations.

#### B. PROPOSED RULES 9b-4(A) AND 9b-4(B)

As noted previously, the Commission approved the experimental extension of trading hours, in part, because of its concern that the disparity in daily closing hours which existed among the options exchanges might not be consistent with the maintenance of fair and orderly markets in exchange listed options or in the underlying securities.

The Commission believes that uniformity in closing hours might help lessen closing price disparities in options dually traded on exchanges with different trading hours. Price disparities could result, for example, if significant news developments were announced after the close of trading on one exchange but before the close on the other. Uniform closing times also might prevent confusion with respect to trading hours by providing investors and members of the securities industry with a definite cut-off time for all options trading.

A closing hour of 4:10 p.m. New York time was selected for the extended trading hours experiment because some of the options exchanges maintained that, in view of the derivative nature of exchange-traded options, it was desirable to trade options beyond the close of the principal markets in the underlying stocks. This, they asserted, would permit options market participants to adjust their options positions to accurately reflect closing sale prices in the underlying stock.<sup>15</sup> The Commission was con-

cerned, however, that, after the close of trading in the underlying securities, options could lose their derivative character if options trading continued after the close of the primary markets for the underlying securities.<sup>16</sup>

Accordingly, in its order approving the extended trading hours experiment, the Commission invited comment on whether there is any public interest to be served by permitting options trading to continue beyond the close of the primary exchange markets in the underlying securities, or whether the purposes of the Exchange Act would best be served by a uniform 4:00 p.m. (E.S.T.) closing of options trading.<sup>17</sup> The Commission again invites comment on these issues.

Proposed Securities Exchange Act Rules 9b-4(A) and 9b-4(B) present alternative methods of addressing the above concerns about options, closing hours. Although either proposed rule, if adopted, would promote a uniform closing hour for options trading, one rule would permit options trading after the close of trading on the pri-

<sup>15</sup>In order to mitigate this possibility during the trading hours experiment, the Commission requested the Board of Governors of the Federal Reserve System to delay its major news announcements normally made at 4:00 p.m. until 4:10 p.m. (E.S.T.). The Commission also requested the New York Stock Exchange to advise the issuers of underlying securities listed on that exchange to refrain from making major news announcements normally delayed until 4:00 p.m. until 4:10 p.m. (E.S.T.).

<sup>16</sup>See Release No. 15241. No comments have been received.

<sup>17</sup>To assist the Commission in making these determinations, the options exchanges agreed to monitor the ten-minute extension of trading to determine, among other things: (1) the extent to which options trading after the close of the principal exchange markets in underlying securities enables the last quotation and/or last sale in the options market to reflect the last sale in the underlying stock; and (2) the extent to which having the last sale and/or the last quotation in the options reflect last sale information in the underlying securities serves the public interest and to maintain fair and orderly markets in both options and their underlying securities.

Other factors which the options exchanges are considering in monitoring the extension or trading hours include: (1) the extent to which firms are permitting the entry of customers' orders after 4:00 p.m. (E.S.T.); (2) the extent to which public news announcements made at or after 4:00 p.m. (E.S.T.) have affected the options markets; (3) the extent to which agency orders and principal orders for options are affected during the last ten minutes of trading; and (4) the volume of options transactions executed in the last ten minutes of trading.

The results of these monitoring efforts have not yet been furnished to the Commission. The Commission will consider this information, however, when determining what action to take on proposed Rules 9b-3, 9b-4(A) and 9b-4(B).

mary markets for the underlying security while the other rule would not.

Various arguments have been raised in support of each approach taken by these rules. The Commission has not determined which of these approaches, if either, would best serve the purposes of the Exchange Act and, therefore, invites public comment not only on both rule proposals but also on whether, in lieu of a Commission rule, each of the exchanges should be permitted to determine independently their own closing hours.

Proposed Exchange Act Rule 9b-4(A) would require that no options trading take place through the facilities of a national securities exchange after 4:00 p.m. New York time, the time trading closes on the principal exchanges on which securities underlying options are traded.

A 4:00 p.m. closing hour for options trading might minimize the advantages which exchange members on the floor have over customers. To a degree, the exchange member on the floor always has an inherent advantage over the public customer because he can react to price information or other significant news almost immediately and adjust his positions in response to such information. This advantage might be accentuated to an unacceptable degree if professionals on exchange floors are permitted to trade in options with certainty as to the closing prices in underlying stocks while members of the public cannot. This would seem to be particularly true when customers with existing limit orders on the book cannot cancel or adjust those orders in response to closing stock prices.

A closing time of 4:00 p.m. New York time for options trading would result, in most cases, in the termination of options trading prior to the reporting of closing prices in the underlying stocks. This would appear to minimize the floor members' advantage over customers with regard to last sale price information. The Commission solicits comments on the merits of this approach in reducing the advantage which floor professionals have over customers at the close of options trading.

Proposed Rule 9b-4(B) would require that no options trading take place through the facilities of a national securities exchange after 4:10 p.m. New York time. Like proposed rule 9b-4(A), this rule would provide a uniform closing time for exchange trading in options. Unlike proposed rule 9b-4(A), however, this rule would permit options market participants to adjust their options positions in response to last sale price information in the primary market for the underlying securities. Since public investors may not be able to use the final ten min-

<sup>15</sup>Closing sale prices in the underlying securities are available promptly to persons using interrogation devices; however, such prices often are not reported on moving ticker displays until a few minutes after 4:00 p.m. New York time.



utes of trading to adjust their options positions in response to last sale information, however, this approach may not be appropriate in light of the purposes of the Exchange Act.

The Commission, therefore, wishes to receive comment on whether it is necessary or appropriate to the goals of the Exchange Act to provide a trading period for the adjustment of options positions in response to closing stock prices, notwithstanding the possible accentuation of the advantages floor professionals have over the public.

#### TEXT OF THE PROPOSED RULES

The text of proposed Exchange Act Rules 9b-3, 9b-4(A) and 9b-4(B) is set forth below.

17 CFR Part 240 is proposed to be amended by adding new §§ 240.9b-3 and 240.9b-4 to read as follows:

#### OPTIONS TRADING ON EXCHANGES

##### § 240.9b-3 Options trading rotations.

It shall be unlawful for any national securities exchange to conduct or permit to be conducted any trading rotation in any class of options if, during the rotation, new limit orders in an options series in that class, and for which bids and offers in such series have not yet been called, are precluded by rule, policy or practice from being entrusted for execution to the exchange board broker, order book official, specialist, or any other person designated by the exchange to be responsible for the limit order book; or if orders in such options series which have previously been entrusted to such persons for execution are similarly precluded from being cancelled, adjusted or replaced. For the purposes of this rule, a "trading rotation" shall mean any procedures by which bids, offers and transactions in options contracts of the same class are permitted to occur in only one options series at a time.

##### § 240.9b-4(A) Options Trading Hours

No options trading shall take place through the facilities of a national securities exchange after 4:00 p.m. New York time.

##### § 240.9b-4(B) Options trading hours.

No options trading shall take place through the facilities of a national securities exchange after 4:10 p.m., New York time.

(Secs. 6(b), 11A, 15(c) and 23(a), 89 Stat. 104-105, 111, 125-126, 156 (15 U.S.C. 78f(b), 78k-1, 78o(c), 78w(a)); Secs. 2, 9(b), 10(b), 48 Stat. 881, 889, 891 (15 U.S.C. 78b, 78i(b), 78j(b)).

#### STATUTORY AUTHORITY FOR PROPOSED RULES

Rules 9b-3, 9b-4(A) and 9b-4(B) are being proposed by the Commission pursuant to the Exchange Act, particularly Sections 2, 6(b), 9(b), 10(b), 11A, 15(c) and 23(a) thereof.

#### SPECIFIC INQUIRIES

Pursuant to Section 23(a) of the Exchange Act, the Commission has considered the effect that the proposals would have on competition and is not aware, at this time, of any burdens that the proposals, if adopted, would impose on competition not necessary or appropriate in furtherance of the purposes of that Act. However, the Commission specifically invites comment as to the anti-competitive effects, if any, that the proposals would likely engender.

In addition, the Commission specifically invites comment on the following issues:

(1) Whether options trading rotations are in the public interest and consistent with the maintenance of fair and orderly markets or whether they should be prohibited as inconsistent with these goals of the Exchange Act;

(2) Whether, for the purposes of the above determination or of proposed Exchange Act Rule 9b-3, there are special circumstances which necessitate distinguishing among opening rotations, daily closing rotations, expiration Friday closing rotations, and rotations conducted during unusual market conditions;

(3) Whether proposed Rule 9b-3 should differentiate between the entry of new options orders and the cancellation, adjustment or replacement of existing options orders on the limit order book;

(4) Whether permanently extending options trading hours beyond 4:00 p.m. New York time is in the public interest and consistent with the maintenance of fair and orderly markets; and, if so, whether these goals are better served by establishing a uniform closing hour among the options exchanges or by permitting each exchange to determine independently its own trading hours; and

(5) Whether, if a uniform closing hour after 4:00 p.m. New York time is desirable, a specified time later than 4:10 p.m. (such as 4:15 p.m., 4:20 p.m., etc.), would better serve the public interest by, among other things, providing the public with additional time in which to react to last sale price information in the primary market for the underlying securities.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

JANUARY 17, 1979.

[FR Doc. 79-2276 Filed 1-22-79; 8:45 am]

[1505-01-M]

#### DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 101]

#### GENERAL PROVISIONS

Proposed Changes in the Field Organization of the Customs Service

#### Correction

In FR Doc. 78-34808, appearing at page 58383, in the issue Thursday, December 14, 1978, make the following corrections:

(1) On page 58383 in the middle column, in the last paragraph, the fifteenth line down, correct "aling" to read "along".

(2) On page 58384, in the first column, in the fifth full paragraph the eleventh line down, correct "availale" to read "available".

[4110-03-M]

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 680]

[Docket No. 78N-02351]

#### CRITERIA FOR SOURCE MATERIAL OF ALLERGENIC PRODUCTS

Extension of Comment Period and Notice of Public Meeting

AGENCY: Food and Drug Administration.

ACTION: Extension of Comment Period on Proposed Rule.

SUMMARY: This document extends the period for submitting comments on proposed additional criteria for source material of Allergenic Products and announces that a public meeting will be held to give interested persons an opportunity to participate in a discussion of the proposed criteria. The action is being taken in response to a request by several licensed manufacturers of Allergenic Products.

DATES: Written comments by March 8, 1979; the meeting will be held Tuesday, February 6, 1979, and interested persons may submit in writing, by January 31, 1979, topics for inclusion in the agenda of the meeting.

ADDRESSES: Written comments to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65,



5600 Fishers Lane, Rockville, MD 20857; the meeting will be held in Rm. 115, Bldg. 29, Bureau of Biologics, 8800 Rockville Pike, Bethesda, MD 20014; meeting agenda topics should be submitted to Steven F. Falter at the address below.

#### FOR FURTHER INFORMATION CONTACT:

Steven F. Falter, Bureau of Biologics (HFB-620), Food and Drug Administration, Department of Health, Education, and Welfare, 8800 Rockville Pike, Bethesda, MD 20014, 301-443-1306.

**SUPPLEMENTARY INFORMATION:** In the FEDERAL REGISTER of September 26, 1978 (43 FR 43472) the Commissioner of Food and Drugs proposed to establish additional criteria for source material used in the manufacture of licensed Allergenic Products.

Interested persons were given until November 26, 1978, to submit written comments on the proposal. In response to a request by several licensed manufacturers of Allergenic Products, the Bureau of Biologics will hold a public meeting to discuss the proposed rule. Interested persons are invited to submit specific topics concerning the proposal for possible inclusion in the agenda of the meeting. In anticipation that the results of this meeting may generate additional comments to the subject document, the Commissioner is extending the comment period to March 8, 1979.

Persons planning to attend or to submit topics for the agenda should contact Steven Falter by January 31, 1979. The meeting will begin at 9 a.m. on February 6, 1979, in Rm. 115, Bldg. 29, Bureau of Biologics, 8800 Rockville Pike, Bethesda, MD 20014.

Therefore, under the Public Health Service Act (sec 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to him (21 CFR 5.1), the Commissioner extends the comment period on the proposed additional criteria for source material of Allergenic Products to March 8, 1979.

Interested persons may, on or before March 8, 1979, submit to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, written comments regarding this proposal. Four copies of all comments shall be submitted, except that individuals may submit single copies of comments, and shall be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received comments may be seen in the above office between the hours of 9 a.m. and 4 p.m., Monday through Friday.

Dated: January 18, 1979.

JOSEPH P. HILE,  
Associate Commissioner for  
Regulatory Affairs.

[FR Doc. 79-2408 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Insurance Administration

[24 CFR Part 1917]

[Docket No. FI-4937]

#### NATIONAL FLOOD INSURANCE PROGRAM

**Proposed Flood Elevation Determination for the Unincorporated Areas of Marion County, Ala.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Unincorporated Areas of Marion County, Ala. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the County Clerk's Office, Marion County Courthouse, Hamilton, Ala. Send comments to: Mr. C. S. Pidwell, Chairman, County Commission, P.O. Box 460 or Mr. E. L. Pearce, County Engineer, P.O. Box 160, Hamilton, Ala. 35570.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Unincorporated areas of Marion County, Ala., in accordance with section 110 of the Flood Disaster

Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national, geodetic vertical datum
Luxapallila Creek near Winfield.	Just upstream of third Avenue North.	464
	Just downstream of Ninth Avenue North.	468
Luxapallila Creek near Twin.	Just upstream of Alabama Highway 253.	528
	Just downstream of Alabama Highway 44.	548
Cooper Creek.....	Just upstream of Alabama Highway 44.	531
	Just downstream of County Road No. 1.	534
Buttahatchee River.	Just downstream of County Road 35.	384
	Just upstream of U.S. Highway 78.	394

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(a)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1933 Filed 1-22-79; 8:45 am]



[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4938]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Moulton, Lawrence County, Ala.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the city of Moulton, Lawrence County, Ala. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the City Clerk, City Hall, 202 West Street, Moulton, Ala. 35650. Send comments to: Honorable H. A. Alexander, Mayor of Athens or Ms. Barbra Coffey, City Clerk, City Hall, 202 West Street, Moulton, Ala. 35650.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Moulton, Lawrence County, Ala., in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4123, and 24 CFR 1917.4(a). These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordin-

ances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Almon Branch.....	Just upstream of Court Street (Alabama Hwy. 24).	626
	Just upstream of Byler Road.	630
Crow Branch.....	Benson Street (Extended).	620
	Just upstream of Court Street.	627
	Just upstream of College Street.	629
Lateral No. 8-14 ....	Just upstream of Main Street.	625
	Just upstream of East Street.	634
	Just upstream of Court Street (Alabama Hwy. 24).	640
Lateral No. 12.....	Approximately 530 feet upstream of confluence with lateral No. 8-14.	629
	Just upstream of Betty Street.	644
Lateral No. 11.....	Just upstream of Main Street.	627

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17304, November 28, 1968), as amended (42 U.S.C. 4001-4123); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(e)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1934 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4972]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Winfield, Marion County, Ala.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Winfield, Marion County, Alabama. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Mayor's Office, Winfield City Hall, P.O. Box 579, Winfield, Alabama 35594. Send comments to: Mayor Joe R. Carothers, or Ms. Edrell S. Reed, City Clerk, City Hall, P.O. Box 579, Winfield, Alabama 35594.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Winfield, Marion County, Alabama in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4123, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change



any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
East Branch.....	Southern corporate limits.	444
	Confluence of Tributary 1.	450
	First Street West.....	451
	U.S. Highway 43.....	452
	Trull Drive.....	457
	Confluence of Tributary 2.	463
	Confluence of Tributary 8.	463
	Northern corporate limits.	463
Tributary 1.....	Confluence with East Branch.	450
	First Avenue South.....	462
	Just upstream of Third Avenue North.	485
	Just downstream of Fourth Avenue North.	491
Tributary 2.....	Confluence with East Branch.	463
	Northern corporate limits.	467
Tributary 8.....	Confluence with East Branch.	463
	Just upstream of St. Louis San Francisco Railway.	471

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1932 Filed 1-22-79; 8:45 am]

# [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4939]

## NATIONAL FLOOD INSURANCE PROGRAM

### Proposed Flood Elevation Determination for the City of Marianna, Lee County, Ark.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Marianna, Lee County, Arkansas. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the Building Inspector, Marianna City Hall. Send comments to: Honorable John Oxder, Mayor of the City of Marianna or Mr. A. Haskell, Code Enforcement Officer, City Hall, Marianna, Arkansas.

### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Marianna, Lee County, Arkansas, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change

any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
L'Anguille River (backwater from the Mississippi River).	Chestnut Street extended.	202
Chestnut Street (backwater from the Mississippi River).	Just downstream of the Missouri Pacific Railroad.	202

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1935 Filed 1-22-79; 8:45 am]

# [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4365]

## NATIONAL FLOOD INSURANCE PROGRAM

### Proposed Flood Elevation Determination for the Borough of Naugatuck, New Haven County, Conn.; Correction

AGENCY: Federal Insurance Administration, HUD.

ACTION: Correction of proposed rule.

SUMMARY: This document corrects a proposed rule on base (100-year) flood elevations that appeared on page 43 FR 35496 of the FEDERAL REGISTER of August 10, 1978.

EFFECTIVE DATE: August 10, 1978.

FOR FURTHER INFORMATION CONTACT:



Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

The following location:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Naugatuck River...	Just Downstream of Dam located 400 feet Downstream of State Route 63.	185
Should be corrected to read:		
Naugatuck River...	Just Upstream of Dam located 400 feet Downstream of State Route 63.	185

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and the Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P. L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1936 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-49401]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for The City of Waterbury, New Haven County, Conn.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Waterbury, New Haven County, Connecticut. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the Building Official, Waterbury, Connecticut. Send comments to: Mr. Nicholas Tetrault, Administrative Aide to the Mayor, Waterbury City Hall, 235 Grant Street, Waterbury, Connecticut 06702

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Waterbury, New Haven County, Connecticut in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Naugatuck River...	Upstream Bristol Street.	219
	Upstream Platt Brothers Dam.	229
	South Leonard Street....	242
	Eagle Street.....	247
	Washington Avenue.....	254
	Freight Street.....	261

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
	West Main Street.....	264
	Huntingdon Avenue.....	279
	Chase Brass Drive.....	293
	South Main Street.....	238
Hopeville Pond Brook.	Upstream Baldwin Street.	283
	Upstream Jersey Street..	333
	Spring Lake Road.....	378
Mad River .....	Washington Avenue.....	261
	Upstream East Liberty Street.	278
	Upstream Hamilton Avenue.	303
	Upstream Silver Street...	327
	Interstate Route 84.....	352
	Downstream Century Dam.	360
	Upstream Century Dam.	377
	East Main Street.....	391
	Downstream Homestead Dam.	429
	Upstream Homestead Dam.	451
	Frost Road.....	459
	Sharon Road.....	462
Beaver Pond Brook.	Harper's Ferry Road.....	378
	(700 feet upstream Harpers Ferry Road) Upstream Interstate Route 84.	382
	Interstate Route 84 (2,960 feet upstream Harpers Ferry Road).	421
	Upstream Scott Road....	448
	Upstream Mulloy Road....	463
	Austin Road.....	484
Steel Brook .....	East Aurora Street.....	273
	Upstream Huntingdon Avenue.	286
	Falls Avenue.....	332
Hancock Brook .....	230 feet upstream of confluence with Naugatuck River.	276
	Huntingdon Avenue.....	285
	Thomaston Avenue.....	286
	Sheffield Street.....	312
Wooster Brook .....	545 feet upstream Corporate Limits.	436
	Upstream State Route 64.	468
	Mason Avenue.....	497
	Wooster Avenue.....	530
	1,000 feet upstream Wooster Avenue.	555
	2,000 feet upstream Wooster Avenue.	591
	Park Road.....	598

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the department of HUD Act, section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1937 Filed 1-22-79; 8:45 am]



## [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4973]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
The Borough of Stonington, New London  
County, Conn.

AGENCY: Federal Insurance Adminis-  
tration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or  
comments are solicited on the pro-  
posed base (100-year) flood elevations  
listed below for selected locations in  
the Borough of Stonington, New  
London County, Connecticut. These  
base (100-year) flood elevations are  
the basis for the flood plain manage-  
ment measures that the community is  
required to either adopt or show evi-  
dence of being already in effect in  
order to qualify or remain qualified  
for participation in the national flood  
insurance program (NFIP).

DATE: The period for comment will  
be ninety (90) days following the  
second publication of this proposed  
rule in a newspaper of local circulation  
in the above-named community.

ADDRESS: Maps and other informa-  
tion showing the detailed outlines of  
the flood-prone areas and the pro-  
posed base (100-year) flood elevations  
are available for review at the Bor-  
ough Hall, Stonington, Connecticut.  
Send comments to: Mr. Robert McGi-  
vern Borough Warden of Stonington  
Stonington Borough Hall Stonington,  
Connecticut 06378

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Ad-  
ministrator, Office of Flood Insur-  
ance, Room 5270, 451 Seventh Street  
SW., Washington, D.C. 20410, 202-  
755-5581 or toll-free line 800-424-  
8872.

SUPPLEMENTARY INFORMATION:  
The Federal Insurance Administrator  
gives notice of the proposed determi-  
nations of base (100-year) flood eleva-  
tions for the Borough of Stonington,  
New London County, Connecticut in  
accordance with section 110 of the  
Flood Disaster Protection Act of 1973  
(Pub. L. 93-234), 87 Stat. 980, which  
added section 1363 to the National  
Flood Insurance Act of 1968 (Title  
XIII of the Housing and Urban Devel-  
opment Act of 1968 (Pub. L. 90-448)),  
42 U.S.C. 4001-4128, and 24 CFR  
1917.4(a).

These elevations, together with the  
flood plain management measures re-  
quired by § 1910.3 of the program regu-  
lations, are the minimum that are re-  
quired. They should not be construed

to mean the community must change  
any existing ordinances that are more  
stringent in their flood plain manage-  
ment requirements. The community  
may at any time enact stricter require-  
ments on its own, or pursuant to poli-  
cies established by other Federal,  
State, or regional entities. These pro-  
posed elevations will also be used to  
calculate the appropriate flood insur-  
ance premium rates for new buildings  
and their contents and for the second  
layer of insurance on existing build-  
ings and their contents.

The proposed base (100-year) flood  
elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Fishers Island Sound.	Church Street and Water Street.	12
	Hancock Street and Trumbull Street.	12

(National Flood Insurance Act of 1968 (Title  
XIII of Housing and Urban Development  
Act of 1968), effective January 28, 1969 (33  
FR 17804, November 28, 1968), as amended  
(42 U.S.C. 4001-4128); and Secretary's dele-  
gation of authority to Federal Insurance  
Administrator, 43 FR 7719.)

In accordance with Section 7(e)(4) of the  
Department of Housing and Urban Devel-  
opment Act, Section 324 of the Housing and  
Community Development Amendments of  
1978, Public Law 95-557, 92 Statute 2080,  
this proposed rule has been granted waiver  
of Congressional review requirements in  
order to permit publication at this time for  
public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1931 Filed 1-22-79; 8:45 am]

## [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4941]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
the City of Cocoa, Brevard County, Fla.

AGENCY: Federal Insurance Adminis-  
tration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or  
comments are solicited on the pro-  
posed base (100-year) flood elevations  
listed below for selected locations in  
The City of Cocoa, Brevard County,  
Florida. These base (100-year) flood  
elevations are the basis for the flood  
plain management measures that the  
community is required to either adopt  
or show evidence of being already in  
effect in order to qualify or remain

qualified for participation in the na-  
tional flood insurance program  
(NFIP).

DATE: The period for comment will  
be ninety (90) days following the  
second publication of this proposed  
rule in a newspaper of local circulation  
in the above-named community.

ADDRESS: Maps and other informa-  
tion showing the detailed outlines of  
the flood-prone areas and the pro-  
posed base (100-year) flood elevations  
are available for review at Office of  
the City Manager Cocoa City Hall,  
P.O. Box 1750, Cocoa, Florida. Send  
comments to: Honorable Ray Debard,  
Mayor of the City of Cocoa or Mr.  
E.W. Brockenbrough, City Manager,  
Cocoa City Hall, P.O. 1750, Cocoa,  
Florida.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Ad-  
ministrator, Office of Flood Insur-  
ance, Room 5270, 451 Seventh Street  
SW., Washington, D.C. 20410, 202-  
755-5581 or toll-free line 800-424-  
8872.

SUPPLEMENTARY INFORMATION:  
The Federal Insurance Administrator  
gives notice of the proposed determi-  
nations of base (100-year) flood eleva-  
tions for The City of Cocoa, Brevard  
County, Florida, in accordance with  
section 110 of the Flood Disaster Pro-  
tection Act of 1973 (Pub. L. 93-234), 87  
Stat. 980, which added section 1363 to  
the National Flood Insurance Act of  
1968 (Title XIII of the Housing and  
Urban Development Act of 1968 (Pub.  
L. 90-448)), 42 U.S.C. 4001-4128, and  
24 CFR 1917.4(a).

These elevations, together with the  
flood plain management measures re-  
quired by § 1910.3 of the program regu-  
lations, are the minimum that are re-  
quired. They should not be construed  
to mean the community must change  
any existing ordinances that are more  
stringent in their flood plain manage-  
ment requirements. The community  
may at any time enact stricter require-  
ments on its own, or pursuant to poli-  
cies established by other Federal,  
State, or regional entities. These pro-  
posed elevations will also be used to  
calculate the appropriate flood insur-  
ance premium rates for new buildings  
and their contents and for the second  
layer of insurance on existing build-  
ings and their contents.

The proposed base (100-year) flood  
elevations for selected locations are:



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Indian River.....	Entire Shoreline.....	4
Big Mud Lake.....	Entire Shoreline.....	22
Big Mud Lake North.....	Entire Shoreline.....	23
Big Mud Lake South.....	Entire Shoreline.....	21
Little Mud Lake.....	Entire Shoreline.....	23
Little Mud Lake South.....	Entire Shoreline.....	21
Clear Lake.....	Entire Shoreline.....	27
Braco Pond.....	Entire Shoreline.....	19
Unnamed Slough.....	Entire Shoreline.....	30

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1938 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4943]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Town of Malabar, Brevard County, Fla.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of Malabar, Brevard County, Florida. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations

are available for review at the Office of the City Clerk, City Hall, P.O. Box 245, Malabar, Florida 32950. Send comments to: Honorable John E. Yust or Mr. John Kenyon, Town Planner, City Hall, P.O. Box 245, Malabar, Florida 32950.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Malabar, Brevard County, Florida, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Channel A.....	Just upstream of U.S. 1..	7
	Just upstream of Florida East Coast Railroad.	16
Channel B.....	Approximately 200 feet upstream of Malabar Road.	19
	Just upstream of Corey Road.	19
Channel C.....	Approximately 100 feet upstream of Malabar Road.	20
Channel D.....	Just downstream of Malabar Road.	17
Channel E.....	Approximately 100 feet downstream of Malabar Road.	20
Indian River.....	Just upstream of Malabar Road.	7

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1939 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4943]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Melbourne, Brevard County, Fla.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Melbourne, Brevard County, Florida. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the City Clerk, 900 E. Strawbridge Avenue, Melbourne, Florida 32901. Send comments to: Honorable Vernon Dicks, Mayor of the City of Melbourne, or the Office of the City Clerk, 900 E. Strawbridge Avenue, Melbourne, Florida.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance,



ance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Melbourne, Brevard County, Florida, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Crane Creek.....	Approximately 100 feet upstream of Babcock Street.	14
	Approximately 100 feet upstream of Dubber Road.	17
	Approximately 100 feet upstream of New Haven Avenue.	18
Channel A.....	Just upstream of Espanola Way.	21
	Just downstream of Eddie Allen Road.	22
Channel B.....	Just upstream of Vassar Street.	16
	Approximately 200 feet upstream of South Fairway Drive.	17
	Just downstream of Dairy Road.	26
Channel B-1.....	Approximately 100 feet downstream of Dairy Road.	23
Channel C.....	Just downstream of Walker Street (Extended).	11
Channel D.....	Just downstream of Sherwood Boulevard.	24
Eau Gallie River...	Just upstream of Eau Gallie Boulevard.	11
	Approximately 200 feet downstream of Wickham Road.	19
Elbow Creek.....	Just downstream of U.S. 1.	6

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Horse Creek.....	Just upstream of Florida East Coast Railroad.	9
	Just upstream of Croton Road.	16
	Just downstream of Parkway Drive.	19
Atlantic Ocean.....	At Florida State Highway 518.	8
Indian River.....	Just upstream of Parkway Drive.	6
	Just upstream of U.S. 192.	7
St. John's River.....	Just upstream of Sarno Road.	22
Channel E.....	Just upstream of Mill Street.	18
Channel F.....	At Fairview Drive (Extended).	21

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1940 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FT-4944]

#### NATIONAL FLOOD INSURANCE PROGRAM

##### Proposed Flood Elevation Determination for the City of Oviedo, Brevard County, Fla.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Oviedo, Brevard County, Florida. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed

rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the City Clerk, City Hall, P.O. Box 297, Oviedo, Florida. Send comments to: Honorable Ben Beasley, Mayor of the City of Oviedo or Richard T. Stacey, City Planner, P.O. Box 297, Oviedo, Florida.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Oviedo, Brevard County, Florida, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Lake Charm.....	Entire Shoreline.....	48
Round Lake.....	Entire Shoreline.....	48
Long Lake.....	Entire Shoreline.....	47
Sweetwater Creek.	Approximately 300 feet downstream of Magnolia Drive.	27
	Just downstream of Franklin Street.	33
	Just upstream of SR 419 (Chapel Street).	39



(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1941 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4964]

NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Village of Peoria Heights, Peoria County, Ill.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Village of Peoria Heights, Peoria County, Ill. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Village Hall, 4901 North Prospect Road, Peoria Heights, Illinois. Send comments to: Mr. Raymond L. Picl, Village President, Village of Peoria Heights, Village Hall, 4901 North Prospect Road, Peoria Heights, Illinois 61614.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance,

Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Village of Peoria Heights, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum.
Illinois River.....	Southern corporate limit.	460
	Northern corporate limit.	460
East Branch Dry Run Creek.	West corporate limit, about 100 feet north of Glen Avenue.	704

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and the Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, Pub. L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comments.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1942 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4974]

NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Pontiac, Livingston County, Ill.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Pontiac, Livingston County, Illinois. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Pontiac City Hall, 321 North Main Street, Pontiac, Illinois. Send comments to: Honorable Joseph S. Trainor, Mayor of Pontiac, 321 North Main Street, Pontiac, Illinois 61764.

FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Pontiac, Livingston County, Illinois in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more



stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Vermilion River.....	Pontiac Corporate Limits.	642
	Norfolk and Western Railway.	642
	Footbridge along Riverview Drive.	641
	Dam near Mill Street.....	640
	Vermilion Street.....	640
	Illinois Central Gulf Railroad.	639
	Ladd Street.....	638
	Dam near Ladd Street....	638
	U.S. Route 66.....	638
	Pontiac Corporate Limits.	636
	Illinois Central Gulf Railroad.	635
	Pontiac Corporate Limits.	634

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1930 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-49451]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Unincorporated Areas of Elkhart County, Ind.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the unincorporated areas of Elkhart County, Indiana. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Elkhart County Planning Commissioners Office, Elkhart County Courthouse, Elkhart, Indiana. Send comments to: Mr. Tom Romburger, President of the Elkhart County Commissioners or Mr. Dennis Harney, Elkhart County Planning Director, Elkhart County Court House, Goshen, Indiana.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the unincorporated areas of Elkhart County, Indiana, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second

layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
St. Joseph River....	Confluence of Cobus Creek.	719
	Confluence of Trout Creek.	760
Elkhart River .....	Just upstream of Hively Avenue.	750
	Just upstream of County Road 17.	767
	Just upstream of County Road 142.	801
	Just upstream of U.S. 33	828
Little Elkhart River.	Approximately 200 feet upstream TU-CO Campground Bridge.	764
	Just downstream of County Road 16.	820
Baugo Creek .....	Just upstream of County Road 1.	747
	Just upstream of County Road 28.	772
Berlin Court Ditch.	Just upstream of County Road 11.	833
	Just upstream of State Road 19.	857
Christiana Creek...	Just upstream of County Road 6.	763
Cobus Creek.....	Just downstream of U.S. 20.	733
	Approximately 100 feet upstream of County Road 8.	756
Pine Creek.....	Just upstream of County Road 17.	762
	Just upstream of County Road 18.	778
	Just downstream of State Road 19.	807
Puterbaugh Creek	Just upstream of Indiana East-West Bound Toll Bridges.	765
Rock Run Creek....	Just downstream of County Road 34.	809
	Just upstream of County Road 34.	812
Turkey Creek.....	Just upstream of County Road 142.	800
Yellow Creek .....	Approximately 300 feet upstream of Hammond Street.	757
	Just downstream of County Road 28.	782

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1943 Filed 1-22-79; 8:45 am]



[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4975]

**NATIONAL FLOOD INSURANCE PROGRAM**

Proposed Flood Elevation Determination for the City of Hobart, Lake County, Ind.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Hobart, Lake County, Indiana. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Hobart City Hall, 414 Main Street, Hobart, Indiana 46342. Send comments to: Honorable Calvin Green, Mayor of Hobart, 414 Main Street, Hobart, Indiana 46342.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Hobart, Lake County, Indiana in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more

stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Deep River .....	Downstream Corporate Limits.	603
	39th Avenue (Upstream Side).	604
	ConRail (Upstream Side).	610
	Hobart Dam (Upstream Side).	610
	3rd Street (Upstream Side).	612
	Norfolk and Western Railway (Upstream Side).	613
	Wisconsin Street .....	613
	Elgin, Joliet and Eastern Railway (Upstream Side).	613
	Decatur Street .....	613
	Bracken Road .....	614
Duck Creek .....	Upstream Corporate Limits.	614
	Front Street .....	610
	Elgin, Joliet and Eastern Railway.	610
	10th Street (Upstream Side).	611
Turkey Creek .....	County Line Road .....	612
	Confluence with Deep River.	613
	Liverpool Road .....	613
	Corporate Limits .....	613

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1929 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4976]

**NATIONAL FLOOD INSURANCE PROGRAM**

Proposed Flood Elevation Determination for the Town of New Chicago, Lake County, Ind.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of New Chicago, Lake County, Indiana. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at New Chicago Town Hall, New Chicago, Indiana. Send comments to: Mr. Maxie Morris, President of the Board of New Chicago, 122 Huber Boulevard, New Chicago, Indiana 46342.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of New Chicago, Lake County, Indiana in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more



stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Deep River .....	Grand Boulevard .....	599
	Michigan Street Bridge ..	599

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1928 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4946]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of West Des Moines, Polk County, Iowa

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of West Des Moines, Polk County, Iowa. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, 318 5th Street, West Des Moines, Iowa. Send comments to: Mr. Elmer P. True, City Administrator, City of West Des Moines, City Hall, 318 5th Street, Des Moines, Iowa 50265.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of West Des Moines, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Raccoon River .....	At 63rd Street .....	814
	Just upstream of Interstate 35.	827
	Approximately 8,800 feet upstream from Interstate 35, at county boundary.	831

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Walnut Creek .....	Approximately 1,600 feet downstream from Grand Avenue.	814
	Just upstream from Chicago, Milwaukee and St. Paul Railroad.	819
	Just upstream from 63rd Street.	821
	Approximately 500 feet upstream from Center Street.	825
	Just upstream from 73rd Street.	833
	Approximately 1,800 feet upstream from Chicago, Milwaukee and St. Paul Railroad.	836
	Just upstream from 22nd Street.	840

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1944 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4947]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Easton, Leavenworth County, Kans.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Easton, Leavenworth County, Kansas. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or



remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, Easton, Kansas. Send comments to: The Honorable Harry Moulden, Mayor, City of Easton, City Hall, Easton, Kansas 66021

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Easton, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Dawson Creek.....	450 feet Downstream of 3rd Street.	903
	Just Upstream of Kickapoo Street.	904
	900 feet Upstream of Kickapoo Street.	906

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Stranger Creek.....	1,500 feet Downstream of State Highway 192.	903
	650 feet Upstream of State Highway 192.	905

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(c)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendment of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
(FR Doc. 79-1945 Filed 1-22-79; 8:45 am)

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4948]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Hesston, Harvey County, Kans.

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Hesston, Harvey County, Kansas. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Hesston City Hall, P.O. Box 100, Hesston, Kansas. Send comments to: The Honorable Milton R. Miller, Mayor, City

of Hesston, Hesston City Hall, P.O. Box 100, Hesston, Kansas 67062.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Hesston, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Middle Emma Creek.	Just upstream of Hickory Street.	1451
	Approximately 525 feet upstream of Hickory Street.	1453
	Approximately 2430 feet downstream of Interstate 135.	1454
	Just upstream of Interstate 135.	1456
	Approximately 1270 feet upstream of Interstate 135.	1458
	Just downstream of Lincoln Boulevard.	1459
Dry Creek.....	Just upstream of Hickory Street.	1460
	Approximately 260 feet downstream of Weaver Street.	1463
	Approximately 150 feet upstream of Pine Street.	1465
	Just upstream of Academy Street.	1467
	Approximately 80 feet downstream of U.S. 81.	1469



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
	Just upstream of U.S. 81	1474
	Just upstream of Missouri Pacific Railroad.	1476

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719).

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1946 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4949]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
the City of Riley, Riley County, Kans.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Riley, Riley County, Kansas. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the home of Phil Pfeifley, City Clerk, Riley, Kansas. Send comments to: The Honorable Leland Heikas Mayor, City of Riley, City Hall, Riley, Kansas 66531.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Riley, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Wildcat Creek Tributary.	Downstream corporate limits approximately 1,850 feet above mouth.	1,268
	Upstream side of Chestnut Street.	1,270
	Upstream side of Cedar St.	1,274
	Upstream side of Kansas Avenue.	1,276
	Approximately 1,200 feet above Kansas Avenue.	1,278
	Upstream corporate limits.	1,283

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719).

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat.

2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1947 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4950]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
the City of Taylor Mill, Kenton County, Ky.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Taylor Mill, Kenton County, Kentucky. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Municipal Building, 5225 Taylor Mill Road, Taylor Mill, Kentucky 41015. Send comments to: Honorable Afton H. Kordenbrock, Mayor or Mr. Ray Rucker, City Coordinator Municipal Building, 5225 Taylor Mill Road, Taylor Mill, Kentucky 41015.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Taylor Mill, Kenton County, Kentucky, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added sec-



tion 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Banklick Creek (backwater effects of Licking River).	Just upstream of Kentucky Highway 16.	503
Licking River	Just downstream of western corporate limits.	503
Holds Branch	Just upstream of western corporate limits.	545
	Just downstream of Private Bridge.	546
	Just upstream of Private Bridge.	547

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1948 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4951]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
The Town of Clinton, East Feliciana Parish, La.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of Clinton, East Feliciana Parish, La. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the Town Clerk, P.O. Box 513—Town Hall, Clinton, Louisiana 70722. Send comments to: Honorable R. C. Graham, Mayor of the Town of Clinton or Ms. Emily Bentley, Town Clerk, town Hall—P.O. Box 513, Clinton, Louisiana.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Clinton, East Feliciana Parish, Louisiana, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed

to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Pretty Creek	Louisiana Highway 10	183
	Just upstream	185
	Woodville Street.	
Lewis Creek	Just upstream Bank Street.	188
	Just upstream Louisiana Highway 67 (Bridge Plank Road).	209

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1949 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4952]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determinations for  
the Town of Franklinton, Washington Parish,  
La.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of Franklinton, Washington Parish, Louisiana. These base (100-year) flood elevations are the basis for the flood plain management measures



that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Franklinton City Hall, 301 11th Avenue, Franklinton, Louisiana. Send comments to: Honorable Warren P. Greer, Mayor of the Town of Franklinton, or Mr. H. G. Minairk, Town Superintendent, 301 11th Avenue, P.O. Box 584, Franklinton, Louisiana.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Franklinton, Washington Parish, Louisiana, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Bouge Chitto River.	Southern Corporate Limits.	144
	Just downstream of State Highway 10.	147
Mile Branch.....	Approximately 100 feet downstream of Main Street.	153
	Just downstream of State Highway 430.	159
Jones Branch.....	Sixteenth Avenue.....	168
	Approximately 80 feet upstream Lee Street Bridge.	150
	Just downstream of 15th Avenue.	155

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1950 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4977]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Town of Milo, Piscataquis County, Maine

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of Milo, Piscataquis County, Maine. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Milo Town Hall, Milo, Maine. Send comments to: Mr. Steve Law, Manager of the Town of Milo, Milo Town Office, Milo, Maine 04463.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Milo, Piscataquis County, Maine, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Piscataquis River..	Corporate Limits.....	278
	Confluence of Stinking Brook.	279
	Route 16.....	283
	Railroad Bridge.....	287
	Ferry Road.....	287
	Confluence of Morrison Brook.	289
	Milo and Sebec Townline.	290
	Corporate Limits	278
Pleasant River.....	Downstream.	285
	Howland-Medford Road (Pleasant Street).	307
	Gaging Station.....	307
	Corporate Limits.....	328



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Sebec River.....	Confluence with Piscataquis River.	285
	Route 16.....	288
	Bangor and Aroostook Railroad.	290
	Corporate Limits .....	292

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1927 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4978]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
the Town of Greensboro, Caroline County, Md.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the town of Greensboro, Caroline County, Maryland. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Town Hall, North Main Street, Greensboro, Maryland. Send comments to: Honorable

Irving Ober, Mayor of Greensboro, P.O. Box 130, Greensboro, Maryland 21639.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Greensboro, Caroline County, Maryland in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Choptank River.....	Downstream Corporate Limits.	12
	State Route 314 Bridge..	12
	Upstream Corporate Limits.	13

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in

order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1926 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4953]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for  
the Township of Mundy, Genesee County,  
Mich.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Township of Mundy, Genesee County, Michigan. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Township Hall, 3478 Mundy Avenue, Swartz Creek, Michigan. Send comments to: The Honorable Edward Morey, Township Supervisor, Township of Mundy, 3478 Mundy Avenue, Swartz Creek, Michigan 48473.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Township of Mundy, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title



## PROPOSED RULES

XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Swartz Creek .....	Downstream corporate limits.	762
	Just upstream of Jennings Road.	768
	Just upstream of Hill Road.	775
	At confluence of Johnson Branch.	782
	Just upstream of Torrey Road.	790
	Just upstream of confluence of Brewer Drain.	797
	Just upstream of Grand Blanc Road.	803
	Approximately 1,000 feet downstream of confluence of Indian Creek.	808
	Just upstream of Cook Road.	823
	Just upstream of Baldwin Road.	834
	Upstream corporate limits.	846
	Mouth at Swartz Creek..	822
Seaver Drain .....	Upstream corporate limits.	824

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, Pub. L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
(FR Doc. 79-1951 Filed 1-22-79; 8:45 am)

## [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4979]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of South Amboy, Middlesex County, N.J.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of South Amboy, Middlesex County, New Jersey. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the South Amboy City Hall, South Amboy, New Jersey. Send comments to: Honorable J. Thomas Cross, Mayor of South Amboy, 140 North Broadway, South Amboy, New Jersey 08879.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of South Amboy, Middlesex County, New Jersey in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Raritan Bay .....	Shoreline .....	12

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
(FR Doc. 79-1925 Filed 1-22-79; 8:45 am)

## [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4980]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Town of Greece, Monroe County, N.Y.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Town of Greece, Monroe County, New York. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt



or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Town Hall, Greece, New York. Send comments to: Mr. Donald J. Riley, Town Supervisor of Greece, 2505 Ridge Road, West Greece, New York 14626

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Town of Greece, Monroe County, New York in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Buttonwood Creek	Downstream Corporate Limits.	249
	Frisbee Hill Road	257

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Larkin Creek	Downstream Corporate Limits.	251
	Long Pond Road	255
	Downstream.	260
	Long Pond Road	260
	Upstream.	266
	Conrail Bridge	266
	Upstream.	340
	English Road	340
	Downstream.	345
	English Road Upstream.	345
	Mill Road Upstream	373
	Private Road Upstream	378
East Branch Larkin Creek.	Upstream Dam	389
	Stollis Road Upstream	405
	Ridge Road Upstream	417
	Private Drive Upstream	419
	Upstream Dam	426
	Elmgrove Road	435
	Upstream.	451
	Old Meadow Road	451
	Upstream.	453
	St. Andrews Road	453
	Upstream.	249
Northrup Creek	Lake Ontario Parkway	249
	North Greece Road	258
	Upstream.	266
	Conrail Bridge	266
	Upstream.	291
	Private Drive	328
	Downstream Corporate Limits Manitou Road.	328
	Edgemere Drive	249
Round Pond Creek.	Cottage Island Road	256
	Upstream.	282
	Wye Bridge Drive	282
	Downstream.	287
	Wye Bridge Drive	287
	Upstream.	328
	English Road	328
	Downstream.	334
	English Road Upstream.	334
	Private Drive	362
	Downstream.	371
	Private Drive Upstream	371
	School Drive	392
	Downstream.	397
	School Drive Upstream	397
	Long Pond Road	398
	Downstream.	403
	Long Pond Road	403
	Upstream.	414
	Ridge Road	414
	Downstream.	422
	Ridge Road Upstream	422
	Doerun Drive	430
	Downstream.	435
	Doerun Drive Upstream	435
	Straub Road	445
	Salmon Creek	249
	Lake Ontario State	249
	Parkway.	252
	Payne Beach Road	252
	Edgemere Drive	250
	Conrail Bridge	254
	Downstream.	260
	Conrail Bridge	260
	Upstream.	260
	Lake Ontario State	260
	Parkway.	260

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080,

this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1924 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-49811]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Belmont, Gaston County, N.C.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Belmont, Gaston County, North Carolina. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Belmont City Hall, 115 North Main Street, Belmont, North Carolina 28012. Send comments to: Mayor Billy Joye, Jr., or Carl W. Howie, City Manager City Hall, P.O. Box 431, Belmont, North Carolina 28012.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Belmont, Gaston County, North Carolina, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance



Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Abbey Creek .....	Just downstream of Neely Chevrolet Drive.	627
	Just downstream of Hawley Avenue.	637
	Just upstream of Hawley Avenue.	647
Stowe Branch .....	Just upstream of confluence with Catawba River.	573
	Just downstream of Vine Street.	611
	Just upstream of Vine Street.	619
	Just downstream of Hawthorne Street.	641

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this rule has been granted waiver of Congressional review requirements in order to permit it to take effect on the date indicated.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

(FR Doc. 79-1923 Filed 1-22-79; 8:45 am)

# [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4982]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of High Point, Guilford County, N.C.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of High Point, Guilford County, North Carolina. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Office of the City Clerk, 211 South Hamilton Street, High Point, North Carolina 27261. Send comments to: Mr. Cyrus L. Brooks, City Manager, P.O. Box 230, High Point, North Carolina 27261.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of High Point, Guilford County, North Carolina, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more

stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Deep River .....	Just upstream of the confluence of Stream No. 26.	734
	Just downstream of Southern Railroad.	735
Stream No. 26 .....	Approximately 100 feet downstream of North Scientific Street.	770
	Just upstream of confluence of Stream No. 27.	773
Stream No. 27 .....	Just upstream of Southern Railroad.	787
	Just downstream of Rosecrest Drive.	810
West Fork Deep River.	Just upstream of High Point Dam.	761
	Just downstream of Deep River Road.	777
Stream No. 18 .....	Just downstream of Willard Road.	801
	Just upstream of Willard Road.	806
Boulding Branch...	Approximately 200 feet upstream of Lexington Avenue.	816
	Approximately 100 feet downstream of Montilleu Avenue.	822
Stream No. 20 .....	Just downstream of Terrell Drive.	819
	Just upstream of East College Drive.	829
	Just downstream of North Centennial Street.	842
Stream No. 13 .....	Just upstream of confluence of Oak Hollow Lake.	807
Hiatt Branch .....	Just downstream of Hillside Drive.	810
Horney Branch.....	Just upstream of Aberdeen Road.	811
	Approximately 150 feet upstream of Fairlane Street.	817
	Just downstream of Old Mill Road.	834
	Just upstream of Old Mill Road.	840
Richland Creek .....	Approximately 200 feet upstream of Kersey Valley Road.	704
	Approximately 200 feet upstream of Jackson Lake Road.	710
	Just upstream of Baker Road.	729
	Just upstream of Brentwood Street.	782
	Just upstream of West Linden Avenue.	831
	Just upstream of South Elm Street.	837
Mill Branch .....	Approximately 150 feet downstream of Jackson Lake Road.	740



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Stream No. 34.....	Approximately 100 feet upstream of U.S. 29 and 70.	746
	Just upstream of East Green Drive.	784
	Approximately 100 feet downstream of Habersham Road.	817
Stream No. 33.....	Approximately 150 feet upstream of Nathan Hunt Drive.	789
	Just downstream of Wise Avenue.	808
Stream No. 31.....	Just upstream of Carolina and Northwestern Railroad.	841
	Approximately 100 feet downstream of West Ward Avenue.	850
	Just downstream of Vail Avenue.	855
Stream No. 99.....	Just downstream of Westchester Drive.	825
Stream No. 97.....	Approximately 100 feet downstream of Nottingham Road.	800
	Just upstream of Nottingham Road.	808
Stream No. 95.....	Approximately 150 feet upstream of Sweetbriar Road.	789
	Just downstream of Westchester Drive.	799
	Just upstream of Westchester Drive.	809
	Approximately 200 feet upstream of Rockford Road.	816
Stream No. 92.....	Just upstream of the Western Gullford County Line.	781
	Approximately 200 feet downstream of the confluence of stream No. 93.	790
Stream No. 29A.....	Just upstream of Bales Chapel Road.	725
Stream No. 93.....	Just upstream of Cherokee Avenue.	822
	Just downstream of Westchester Drive.	823
	Just upstream of Westchester Drive.	833

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1922 Filed 1-22-79; 8:45 am]

## [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4983]

## NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the City of Lexington, Davidson County, N.C.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Lexington, Davidson County, North Carolina. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Engineer's Office, 907 Talbert Boulevard, Lexington, North Carolina 27292. Send comments to: Mayor Dwight D. Hinkle or Mr. Wade Gibbs, City Engineer, City Hall, 28 West Center Street, Lexington, North Carolina 27292.

## FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

SUPPLEMENTARY INFORMATION: The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Lexington, Davidson County, North Carolina, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change

any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Rat Spring Branch.	Just upstream of confluence of Walltown Branch.	705
	Upstream of intersection of Poyell Street and Pennington Avenue.	714
	Upstream of Menoonta Avenue.	731
Walltown Branch.	Downstream of Linwood Road.	707
Yarborough Drain	Upstream of Cotton Grove Road.	723
	Hoover Drive Extended..	739
Walltown Drain.....	Just east of Cotton Grove Road at corporate limits.	752
Michael Branch.....	Downstream of Fifth Avenue.	704
	Approximately 100 feet downstream of confluence of Royal Park Branch.	710
	Upstream of West Center exit.	722
	Downstream of Bieseker Road.	752
	Upstream of Bieseker Road.	757
	Upstream of Price Road.	768
Wenonah Mill Draw.	Just downstream of Winston-Salem Southbound Railroad.	721
Royal Park Branch.	Downstream of Spruce Street.	712
	Downstream of Burler Street.	715
	Winston-Salem Southbound Railroad.	718
	Williams Street (extended).	735
Royal Park Drain.	Upstream of Westside Drive.	722
	Approximately 100 feet downstream of Payne Street.	734
	Just downstream of Williams Circle.	745
Erianger Branch ...	Upstream of Swing Dairy Road.	724
	Upstream of Winston-Salem Southbound Railroad.	749
	Upstream of Hames Street.	758
Shoaf Branch .....	Approximately 400 feet upstream of confluence with Michael Branch.	712
	Upstream of Royal Avenue.	728
	Corporate Limits .....	734



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Woodcrest Drain...	Approximately 180 feet upstream of confluence with Michael Branch.	726
	Downstream of Woodhaven Drive.	743
Biesecker Creek.....	Just upstream of downstream corporate limits.	736
Swearing Creek .....	Upstream corporate limits.	716
Northside.....	Approximately 1,000 feet upstream of confluence with Swearing Creek.	719
Northside Branch.	Confluence with Northside Creek.	728
Jefferson Village Branch.	Corporate limits .....	672
	Upstream of Ninth Street extension.	748
Jefferson Village Tributary.	Approximately 100 feet upstream of confluence with Jefferson Village Branch.	675
Northview Heights Branch.	Approximately 800 feet upstream of confluence with Jefferson Village Branch.	686
	Downstream of White Street.	727
	Upstream of White Street.	735
Swingsdairy Branch.	Upstream of North Main St..	748
	Downstream of Greensboro St..	750
Darr Branch .....	Just Upstream of Converse Dr..	654
	Downstream of Center Street.	684
	Upstream of Center Street.	694
	Upstream of Third Avenue.	701
	Upstream of Tanyard Street.	724
Darr Draw .....	Approximately 160 feet upstream of Young Drive.	661
Nokomis Branch ...	Upstream of Talbert Boulevard.	678
	Approximately 100 feet downstream of Church Street.	698
	Approximately 100 feet upstream of Church Street.	715
	Pine Street.....	738
Lakewood Hills Branch.	Approximately 100 feet downstream of Dalewood Drive.	679
	Approximately 200 feet upstream of Dalewood Drive.	696
Lakewood Hills Drain.	Corporate limits .....	672
Twin Creek Tributary.	Upstream of Twin Acres Drive.	674
Golf Course Drain	Approximately 70 feet upstream of corporate limits.	750
Fern Valley Branch.	Proposed Interstate 85...	636
	Approximately 80 feet downstream of confluence of Number 9 Golf Course Drain.	666
Number 9 Golf Course Drain.	County Club Drive.....	678
Abbotts Creek.....	Corporate limits .....	732
	Twin Acres Drive (extended).	636

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Amendments of 1978, Pub. L. 95-557, 92 Stat. 2080, this rule has been granted waiver of Congressional review requirements in order to permit it to take effect on the date indicated.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1921 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4984]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Borough of Monaca, Beaver County, Pa.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Monaca, Beaver County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATES:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESSES:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Borough Building, 928 Pennsylvania Avenue, Monaca, Pennsylvania. Send comments to: Mr. Thomas Stoner, Manager of the Borough of Monaca, 928 Pennsylvania Avenue Monaca, Pennsylvania 15061.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street

SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Monaca, Beaver County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Ohio River .....	Pittsburgh and Lake Erie Railroad Bridge.	703
	Monaca-Rochester Bridge.	704
	Monaca-East Rochester Bridge.	705

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1920 Filed 1-22-79; 8:45 am]



[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4985]

**NATIONAL FLOOD INSURANCE PROGRAM**

**Proposed Flood Elevation Determination for the Township of Penn, Perry County, Pa.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Township of Penn, Perry County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Township Municipal Building, Duncannon, Pennsylvania. Send comments to: Mr. Clifford Taylor, Chairman of the Board of Supervisors of Penn, R. D. 1, Faculty Road, Box 1239, Duncannon, Pennsylvania 17020.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Township of Penn, Perry County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change

any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Little Juniata	Conrail Corporation	
	P.A. Route	354
	High Street	354
Juniata River	State Route 274	359
	U. S. Route 11 (15)	362
Susquehanna River	Confluence of Clark Creek	339
	T 518 (School House Lane) (Extended)	344
	Confluence of Cove Creek	349
	Confluence of Sherman Creek	353
	Confluence of Juniata River	359

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(c)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1973, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1919 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4986]

**NATIONAL FLOOD INSURANCE PROGRAM**

**Proposed Flood Elevation Determination for The Township of Peters, Washington County, Pa.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations

listed below for selected locations in the Township of Peters, Washington County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Municipal Building, 610 East McMurray Road, McMurray, Pennsylvania. Send comments to: Mr. James Ross, Manager of the Township of Peters, 610 East McMurray Road, McMurray, Pennsylvania 15317.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Township of Peters, Washington County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:



Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Brush Run .....	Thompsonville Road.....	909
	East McMurray Road.....	981
	Private Drive.....	996
	Bebout Road.....	1,013
Chartier Creek .....	Conrail.....	862
	Valley Brook.....	866
	Conrail.....	871
Peters Creek .....	Venetia Road.....	957
	Mingo Road.....	983
	Lutes Road.....	1,001
	Private Drive.....	1,020

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1918 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4987]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the township of Reed, Dauphin County, Pa.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Township of Reed, Dauphin County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of

the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Township Municipal Building, Reed Township, Pennsylvania. Send comments to: Mr. Steve Williams, Sr., Chairman of the Township of Reed, R.D. 2, Duncannon, Pennsylvania 17020.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

#### SUPPLEMENTARY INFORMATION:

The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Township of Reed, Dauphin County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Susquehanna River.	Confluence of Cove Creek.	349
	Confluence of Sherman Creek.	353
	Clarksbury Road (Route 22/322).	360
	Powell Creek .....	363
Juniata River .....	State Route 274 .....	359
	U.S. Route 11/15 .....	362
	Confluence with Susquehanna.	363
Powell Creek .....	Conrail R.R. ....	363
	Tributary to Powell Creek 1,200 yards upstream of Conrail.	378
	Shoop Road (Township Route 547).	394

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Amendments of 1978, Pub. L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1917 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4988]

#### NATIONAL FLOOD INSURANCE PROGRAM

Proposed Flood Elevation Determination for the Borough of Stockertown, Northampton County, Pa.

AGENCY: Federal Insurance Administration, HUD.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Stockertown, Northampton County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

DATE: The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

ADDRESS: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at Borough Hall, Stockertown, Pennsylvania. Send comments to: Honorable Sherman Metzgar, Mayor of Stockertown, 115 Main Street, Stockertown, Pennsylvania 18083.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street



SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Stockerton, Northampton County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Bushkill Creek.....	Downstream Corporate Limit.	335
	Confluence of Little Bushkill Creek.	338
	Bushkill Street.....	344
	Conrail Bridge	351
	Upstream from State Route 33.	
	West Centre Street (Downstream).	362
	West Centre Street (Upstream).	367
	State Route 191.....	370
	Upstream Corporate Limit.	373

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1916 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4989]

**NATIONAL FLOOD INSURANCE PROGRAM**

**Proposed Flood Elevation Determination for the Borough of Tatamy, Northampton County, Pa.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the Borough of Tatamy, Northampton County, Pennsylvania. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the Municipal Building, Tatamy, Pennsylvania. Send comments to: Honorable B. James Williams, Mayor of Tatamy, 107 North 7th Street, Tatamy, Pennsylvania 18085.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the Borough of Tatamy, Northampton County, Pennsylvania in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)),

42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Bushkill Creek.....	At downstream corporate limits near L.R. 48021.	312
	Confluence with Little Bushkill Creek.	339

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1915 Filed 1-22-79; 8:45 am]

[4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4990]

**NATIONAL FLOOD INSURANCE PROGRAM**

**Proposed Flood Elevation Determination for the County of Giles, Va.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in



the County of Giles, Virginia. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the County Administration Building, 120 North Main Street, Pearisburg, Virginia. Send comments to: Mr. Daniel W. Hickey, County Administrator, 120 North Main Street, Pearisburg, Virginia 24134.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the County of Giles, Virginia in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second

layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
New River.....	U.S. 460 East Bound .....	1,523
	U.S. 460 .....	1,563
	State Route 623 .....	1,625
	State Route 730 .....	1,847
Wolf Creek.....	State Route 671 .....	1,577
	(Extended) .....	
	State Route 675 .....	1,680
	State Route 724 .....	1,713
Sinking Creek.....	Private Bridge .....	1,837
	U.S. Highway 460 .....	1,744
	State Route 700 .....	1,809
	State Route 621 .....	1,843
Stony Creek.....	State Route 703 .....	1,937
	Norfolk & Western Railroad .....	1,598
	State Route 720 .....	1,700
	State Route 739 .....	1,782
Little Stony Creek.....	State Route 635 .....	1,900
	State Route 688 .....	1,801
	State Route 624 .....	1,947
	(Extended) .....	
Spruce Run.....	State Route 610 .....	1,722
	State Route 605 .....	1,849
	State Route 605 .....	1,946
	Private Drive .....	2,093
Doe Creek.....	Private Drive .....	2,109
	Private Road .....	1,770
	State Route 678 .....	1,918
	State Route 615 .....	1,998
Laurel Branch.....	State Route 635 .....	1,873
	Private Road .....	2,111
	Norfolk & Western Railroad .....	1,554
	Private Drive .....	1,564
Piney Creek.....	State Route 42 .....	1,872
	State Route 796 .....	1,928
	State Route 802 .....	1,988
	State Route 605 .....	1,999

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of Housing and Urban Development Act, Section 324 of the Housing and Community Development Amendments of 1978, Public Law 95-557, 92 Statute 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1914 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4674]

#### NATIONAL FLOOD INSURANCE PROGRAM

**Proposed Flood Elevation Determination For the Town of Scottsville, Albemarle County, Va; Correction**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Correction of proposed rule.

**SUMMARY:** The notice published on October 30, 1978, at 43 FR 50458 in the *FEDERAL REGISTER*, and in the *Charlottesville Daily Progress* October 26, and October 27, 1978, describing the corporate limits upstream listed under the James River in Scottsville, as being 296 feet, should be corrected to read 286 feet.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street, SW. Washington, D.C. 20410 (202) 755-5581 or toll free line (800) 424-8872.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Amendments of 1978, P.L. 95-557, 92 Stat. 2080, this rule has been granted waiver of Congressional review requirements in order to permit it to take effect on the date indicated.

Issued: January 8, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.  
[FR Doc. 79-1913 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

[24 CFR Part 1917]

[Docket No. FI-4991]

#### NATIONAL FLOOD INSURANCE PROGRAM

**Proposed Flood Elevation Determination for the City of Warroad, Roseau County, Minn.**

**AGENCY:** Federal Insurance Administration, HUD.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the city of Warroad, Roseau County, Minnesota. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being



already in effect in order to qualify or remain qualified for participation in the national flood insurance program (NFIP).

**DATE:** The period for comment will be ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in the above-named community.

**ADDRESS:** Maps and other information showing the detailed outlines of the flood-prone areas and the proposed base (100-year) flood elevations are available for review at the City Hall, Warroad, Minnesota. Send comments to: The Honorable Richard Roberts, Mayor, City of Warroad, City Hall, P.O. Box 50, Warroad, Minnesota 56763.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Richard Krimm, Assistant Administrator, Office of Flood Insurance, Room 5270, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-5581 or toll-free line 800-424-8872.

**SUPPLEMENTARY INFORMATION:** The Federal Insurance Administrator gives notice of the proposed determinations of base (100-year) flood elevations for the City of Warroad, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 24 CFR 1917.4(a).

These elevations, together with the flood plain management measures required by § 1910.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

The proposed base (100-year) flood elevations for selected locations are:

Source of flooding	Location	Elevation in feet, national geodetic vertical datum
Warroad River.....	At the confluence with Lake of the Woods.	1,064
	At Canadian National Railroad.	1,064
	1.30 miles upstream of Canadian National Railroad.	1,064

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator, 43 FR 7719.)

In accordance with Section 7(o)(4) of the Department of HUD Act, Section 324 of the Housing and Community Development Amendments of 1978, Pub. L. 95-557, 92 Stat. 2080, this proposed rule has been granted waiver of Congressional review requirements in order to permit publication at this time for public comment.

Issued: January 5, 1979.

GLORIA M. JIMENEZ,  
Federal Insurance Administrator.

[FR Doc. 79-1912 Filed 1-22-79; 8:45 am]

[6570-06-M]

### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[29 CFR Part 1601]

#### 706 AGENCIES

##### Proposed Designations

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Equal Employment Opportunity Commission proposes to amend its regulations on designation of certain State and local agencies so that they may handle employment discrimination charges filed with the Commission. Proposed are State and local agencies that requested deferral designation as provided under the authority of Title VII of the Civil Rights Act of 1964, as amended. The proposal would authorize the agencies listed to process charges deferred to them by the Commission.

**DATES:** Comments must be received by February 7, 1979.

**ADDRESS:** Comments should be sent to: Equal Employment Opportunity Commission, Office of Field Services (State and Local), 2401 E Street, N.W., Washington, D.C. 20506.

#### FOR FURTHER INFORMATION CONTACT:

Boyce Nolan, Equal Employment Opportunity Commission, Office of Field Services (State and Local), 2401 E Street, N.W., Washington, D.C. 20506, telephone 202/634-6040.

**SUPPLEMENTARY INFORMATION:** Pursuant to § 1601.71, Title 29, Chapter XIV of the Code of Federal Regulations as revised and published in the FEDERAL REGISTER, 42 FR 55388, October 14, 1977, the Equal Employment

Opportunity Commission (hereinafter referred to as the Commission) proposes that each of the agencies listed below be designated as a "706 Agency", § 1601.70(a). Three (3) purposes for such designation are as follows: First, that the agencies receive charges deferred by the Commission pursuant to Section 706 (c) and (d) of Title VII of the Civil Rights Act of 1964, as amended; second, that the Commission accord "substantial weight" to the final findings and orders of the agencies pursuant to Section 706(b) of Title VII of the Civil Rights Act of 1964, as amended; and third, to commence the 15 day period within which any person or organization may file written comments as provided for under § 1601.71(i).

At the expiration of the 15 day period, the Commission may effect designation of the agencies by publishing them as an amendment to § 1601.74(a).

With the limitation set forth in the footnote below, the proposed "706 Agencies" are as follows:

<sup>1</sup>Corpus Christi (Texas) Human Relations Commission, Tennessee Commission for Human Development.

Written comments pursuant to this notice must be filed with the Commission on or before February 7, 1979.

Signed at Washington, D.C. this 18th day of January, 1979.

For the Commission.

ELEANOR HOLMES NORTON,  
Chair, Equal Employment  
Opportunity Commission.

[FR Doc. 79-2317 Filed 1-22-79; 8:45 am]

[1505-01-M]

### DEPARTMENT OF COMMERCE

Patent and Trademark Office

[37 CFR Part 1]

#### ADVISORY OPINIONS ON VALIDITY OF PATENTS

Proposed Rulemaking

##### Correction

In FR Doc 78-35321 appearing at page 59401, in the issue of Wednesday, December 20, 1978, make the following corrections.

(1) On page 59401, under the preamble heading of "Supplementary Information", in the first paragraph, the twentieth line down, delete the words "or did not involve the evaluation of all the knowledge of the Office."

(2) On page 59402, in the middle column, the second full paragraph, in

<sup>1</sup>The Corpus Christi (Texas) Human Relations Commission has been proposed as a 706 Agency with authority extending only to employees within the city's jurisdiction and does not cover State employees.



the twelfth and fifteenth lines down, correct the word "duplicative" to read "duplicate".

## [6560-01-M]

# ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 1041-31]

## APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

New Mexico Regulation 402, Woodwaste Burners

AGENCY: Environmental Protection Agency (EPA)

ACTION: Proposed rule.

SUMMARY: This action proposed to disapprove New Mexico Regulation 402, Woodwaste Burners, as revised by the State on January 10, 1975. The intent of the regulation is to control particulate matter emissions from woodwaste burners through visible emission limits. However, the lack of a definition of opacity and lack of test methods and procedures makes the regulation unenforceable by EPA.

DATES: Interested persons are invited to comment on this proposed rule. Comments must be received on or before February 22, 1979 to be considered by EPA in the final approval/disapproval decision.

ADDRESSES: Comments on this proposed rule should be submitted to the address below.

Environmental Protection Agency,  
Region 6, Air Program Branch, 1201  
Elm Street, Dallas, Texas 75270.

Copies of the State's submittal are available for inspection during normal business hours at the address above and at the following address:

Environmental Protection Agency,  
Public Information Reference Unit,  
Room 2922, 401 M Street, SW.,  
Washington, D.C. 20460.

### FOR FURTHER INFORMATION CONTACT:

Jerry Stubberfield, Environmental  
Protection Agency, Air Program  
Branch, 1201 Elm Street, Dallas,  
Texas 75270, 214-767-2742.

SUPPLEMENTARY INFORMATION: On November 6, 1975, after adequate notice and public hearing, the Governor of New Mexico submitted a revision to Regulation 402, Regulation to Control Woodwaste Burners.

The revised regulation specifies control requirements in terms of opacity. The degree of control is not changed for normal operation, but a provision is added which permits a less stringent opacity during daily burndown per-

ods. These changes are considered approvable. However, the regulation fails to provide a definition for opacity, and no definition is included in Regulation 100, Definitions. While this deficiency alone may not warrant a disapproval of the regulation, the lack of a definition of opacity in conjunction with the lack of specification of testing methods and procedures prevents a determination of compliance status. Consequently, EPA considers the regulation to be unenforceable.

### CURRENT ACTION

This action proposes disapproval of New Mexico Regulation 402, Regulation to Control Woodwaste Burners, as adopted by the Environmental Improvement Board on January 10, 1975 and submitted by the Governor on November 6, 1975.

This rulemaking is issued under the authority of Section 110(a) of the Clean Air Act, as amended, 42 U.S.C. 7410-(a).

Dated: January 5, 1979.

EARL N. KARI,  
Deputy Regional  
Administrator.

It is proposed to amend Part 52 of Chapter 1, Title 40 of the Code of Federal Regulations as follows:

### Subpart GG—New Mexico

1. In § 52.1620, paragraph (c) is amended by adding a new paragraph (12) to read as follows:

§ 52.1620 Identification of plan.

• • • • •  
(c) • • •

(12) Regulation 402, Regulation to Control Woodwaste Burners, as adopted by the New Mexico Environmental Improvement Board on January 10, 1975, was submitted by the Governor on November 6, 1975 (see § 52.1625).

2. In Subpart GG, § 52.1625 is amended by adding a new paragraph (c) to read as follows:

§ 52.1625 Control strategy and regulations:  
Particulate matter.

• • • • •

(c) Regulation 402, submitted by the Governor on November 6, 1975, is disapproved since no definition of opacity is provided, and since no compliance testing procedures were specified. These deficiencies make Regulation 402 unenforceable.

[FR Doc. 79-2332 Filed 1-22-79; 8:45 am]

## [6560-01-M]

[40 CFR Part 65]

[FRL 1043-2]

# STATE AND FEDERAL ADMINISTRATIVE ORDERS PERMITTING A DELAY IN COMPLIANCE WITH STATE IMPLEMENTATION PLAN REQUIREMENTS

Proposed Approval of an Administrative Order  
Issued by Ohio Environmental Protection  
Agency to General Motors Corporation,  
Delco Products Division

AGENCY: U.S. Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: U.S. EPA proposes to approve an Administrative Order issued by the Ohio Environmental Protection Agency to General Motors Corporation, Delco Products Division. The Order requires the company to bring air emissions from its facility in Kettering, Ohio, into compliance with certain regulations contained in the federally approved Ohio State Implementation Plan (SIP) by July 1, 1979. Because the Order has been issued to a major source and permits a delay in compliance with provisions of the SIP, it must be approved by U.S. EPA before it becomes effective as a Delayed Compliance Order under the Clean Air Act (the Act). If approved by U.S. EPA, the Order will constitute an addition to the SIP. In addition, a source in compliance with an approved Order may not be sued under the Federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by the Order. The purpose of this notice is to invite public comment on U.S. EPA's proposed approval of the Order as a Delayed Compliance Order.

DATE: Written comments must be received on or before February 22, 1979.

ADDRESS: Comments should be submitted to Director, Enforcement Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604. The State Order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

### FOR FURTHER INFORMATION CONTACT:

Cynthia Colantoni, Enforcement Division, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604. (312) 353-2082.

SUPPLEMENTARY INFORMATION: General Motors Corporation, Delco Products Division operates a facility at Kettering, Ohio. The Order under consideration addresses emissions



from Boiler No. 3 at the facility, which is subject to OAC 3745-17-7 and OAC 3745-17-10. The regulations limit the emissions of particulate matter and visible emissions, and are part of the federally approved Ohio State Implementation Plan. The Order requires final compliance with the regulations by July 1, 1979, through installation of appropriate control equipment on Boiler No. 3 which will control emissions of particulate matter from Delco to a rate of not greater than 0.14 pounds per million Btu input.

Because this Order has been issued to a major source of particulate matter emissions and visible emissions permits a delay in compliance with the applicable regulations, it must be approved by U.S. EPA before it becomes effective as a Delayed Compliance Order under Section 113(d) of the Act. U.S. EPA may approve the Order only if it satisfies the appropriate requirements of this subsection.

If the Order is approved by U.S. EPA, source compliance with its terms against the source for violations of the regulations covered by the Order during the period the Order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the Order would also constitute an addition to the Ohio SIP.

All interested persons are invited to submit written comments on the proposed Order. Written comments received by the date specified above will be considered in determining whether U.S. EPA may approve the Order. After the public comment period, the Administrator of U.S. EPA will publish in the FEDERAL REGISTER the Agency's final action on the Order in 40 U.S.C. Part 65.

(42 U.S.C. 7413, 7601)

Dated: January 11, 1979.

JOHN MCGUIRE,  
Regional Administrator,  
Region V.

[FR Doc. 79-2325 Filed 1-22-79; 8:45 am]

[6560-01-M]

[40 CFR Part 65]

[FRL 1014-7; Docket No. DCO-78-44]

**STATE AND FEDERAL ADMINISTRATIVE  
ORDERS PERMITTING A DELAY IN COMPLIANCE  
WITH STATE IMPLEMENTATION PLAN  
REQUIREMENTS**

Proposed Approval of Delayed Compliance  
Order Issued by the North Carolina Environmental  
Management Commission to Columbus  
Forest Industries

AGENCY: Environmental Protection  
Agency.

ACTION: Proposed rule.

**SUMMARY:** EPA proposes to approve a delayed compliance order issued by the North Carolina Environmental Management Commission to Columbus Forest Industries in Riegglewood, North Carolina. The delayed compliance order requires Columbus Forest Industries to bring air emissions from the wood waste boiler in Riegglewood, North Carolina, into compliance with an applicable regulation contained in the North Carolina State Implementation Plan (SIP) by June 30, 1979. Because the order has been issued to a major source and permits a delay in compliance with the provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by the order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

**DATE:** Written comments must be received on or before February 22, 1979.

**ADDRESSEES:** Comments should be submitted to Director, Enforcement Division, EPA, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

**FOR FURTHER INFORMATION  
CONTACT:**

Floyd Ledbetter, U.S. Environmental  
Protection Agency, Region IV, 345  
Courtland Street, N.E., Atlanta,  
Georgia 30308, Telephone Number:  
404-881-4298.

**SUPPLEMENTARY INFORMATION:** Columbus Forest Industries operates a sawmill and kiln in Riegglewood, Columbus County, North Carolina. The order under consideration addresses emissions from the wood waste boiler, which is subject to North Carolina Administrative Code (NCAC), Title 15, Chapter 2D, Section 0.0504. This regulation limits the particulate emissions from indirect wood burning heat exchangers, and is part of the federally approved North Carolina State Implementation Plan. The order requires compliance with the regulation by June 30, 1979, through the implementation of the following schedule for the construction or installation of control equipment:

(1) Submit an "Application for Permit to Construct and Operate Air Pollution Abate-

ment Facilities" to the Commission on or before November 1, 1978.

(2) Let purchase orders and contracts for the abatement facilities on or before January 1, 1979.

(3) Begin installation of emission control equipment on or before April 15, 1979.

(4) Complete construction of emission control equipment on or before June 1, 1979.

(5) Achieve and document compliance with Emission Standard 15 NCAC 2D .0504 on or before June 30, 1979.

The source has consented to the terms of the order and has agreed to meet the order's increments during the period of this informal rulemaking. As an interim limit, the particulate emissions shall not exceed 0.89 pounds/million BTU's and visible emissions shall not exceed 20% opacity, prior to attainment of the last milestone.

Because this order has been issued to a major source of particulate matter emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before becoming effective as a delayed compliance order under Section 113(d) of the Clean Air Act (the Act). EPA may approve the order only if it satisfies the appropriate requirements of this subsection. EPA has tentatively determined that the order satisfies these requirements.

If the order is approved by EPA, source compliance with its terms would preclude federal enforcement action under Section 113 of the Act against the source for violations of the regulation covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the North Carolina SIP. Compliance with the proposed order will not exempt the company from complying with applicable requirements contained in any subsequent revisions to the SIP which are approved by EPA.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the FEDERAL REGISTER the Agency's final action on the order in 40 CFR Part 65.

(Authority: 42 U.S.C. 7413, 7601.)

Dated: January 12, 1979.

PAUL TRAINA,  
Regional Administrator,  
Region IV.

[Special Order by Consent, AQ-78-204]

NORTH CAROLINA, COLUMBUS COUNTY

In the matter of unauthorized discharges  
of air pollutants into the ambient atmos-



phere by Columbus Forest Industries, Riegelwood, North Carolina, Columbus County. This order by consent made and entered into pursuant to North Carolina General Statute 143-215.110 and in accordance with the requirements of Section 113 of the Clean Air Act by Columbus Forest Industries, hereinafter referred to as the Company, with the North Carolina Environmental Management Commission, an agency of the State of North Carolina, hereinafter known as the Commission.

Witnesseth:

I. The Commission finds as follows:

A. The Company is now operating a wood-waste-fired boiler equipped with a multicyclone at its facility located at Riegelwood, North Carolina.

B. The Company was issued Permit No. 2248R for the operation of this boiler on April 7, 1978 which stipulated that the unit would be tested for compliance and results submitted to the Commission by August 1, 1978.

C. The Company has tested the boiler and submitted the results of the tests to the Commission on July 27, 1978. The results of the tests indicate that the Company is discharging particulate emissions from the boilers in violation of Emission Standard 15 NCAC 2D .0504 "Particulates from Wood Burning Indirect Heat Exchangers".

II. The Company desiring to comply with the legal requirements of the Commission regarding particulate emissions to the ambient atmosphere and with all pertinent provisions of the law and applicable rules and regulations of the Commission does hereby agree to do and perform the following on or before the dates hereinafter set out:

A. Submit an "Application for Permit to Construct and Operate Air Pollution Abatement Facilities" to the Commission on or before November 1, 1978.

B. Let purchase orders and contracts for the abatement facilities on or before January 1, 1979.

C. Begin installation of emission control equipment on or before April 15, 1979.

D. Complete construction of emission control equipment on or before June 1, 1979.

E. Achieve and document compliance with Emission Standard 15 NCAC 2D .0504 on or before June 30, 1979.

III. The Company shall operate and maintain the boiler utilizing the best available engineering practices so as to minimize the impact of particulate emissions during the period between the date this order is executed by the Company and the date specified in this Order for achieving compliance with 15 NCAC 2D .0504. In no case shall the particulate emissions from the boiler exceed .89 pounds per million BTU input except during start-ups or shut-downs. In no case shall visible emissions exceed 20% opacity as specified in Permit No. 2248R.

IV. On or before June 30, 1979, when particulate emissions due to a malfunction are or may be in excess of the interim emission limit contained in Section III of this Order for more than one continuous hour, the Company shall notify the Director, Division of Environmental Management as promptly as possible but in no case later than eighteen (18) hours following the start of such malfunction. Such notice shall specify the nature and cause of the malfunction, the time when such malfunction was first observed, the expected duration and an estimate of the rate of emission. The term mal-

function shall not be construed to include normal start-up or shut-down periods.

V. In the event the Company fails to achieve final compliance with any emission limitation, emission standard, or compliance schedule in this Order or under the North Carolina Implementation Plan by July 1, 1979, the Company will be required to pay a mandatory non-compliance penalty pursuant to Section 120 of the Clean Air Act, 42 U.S.C. Section 7420, or North Carolina General Statute 143-215.114(a), if the Environmental Protection Agency has delegated authority to collect and assess such a penalty to the State of North Carolina. Nothing contained herein shall prevent the United States Environmental Protection Agency from taking enforcement action pursuant to Section 113(b) or the Commission from assessing a civil penalty pursuant to North Carolina General Statute 143-215.114(a) as implemented by 15 NCAC 2J or from taking other enforcement action pursuant to North Carolina General Statute 143-215.114 for violating any term or condition of this Order including failure to achieve any compliance date which is scheduled to be achieved in this Order prior to July 1, 1979.

VI. The Company agrees that this Special Order shall pertain only to that equipment or source described in Section IA of this Order. Unless an applicable Special Order or Permit has been issued by the Commission, any violations of Air Quality Standards, resulting from other sources or equipment for which the Company is responsible shall subject the Company to all sanctions provided by North Carolina General Statute 143-215.114.

VII. The findings of the Commission as set forth above are not admitted or denied by the Company, but the Company does submit to the jurisdiction of the Commission for the purpose of the entry of this Consent order.

VIII. The Company hereby agrees to waive any rights it may have to seek judicial review to challenge this Special Order by Consent, or the Environmental Protection Agency's approval thereof, or to seek a stay of enforcement of this order in connection with any judicial review of the State Implementation Plan. However, it is acknowledged that this waiver does not prohibit the Company from seeking modification of this Order if any regulatory standards upon which the Order is based are changed subsequent to its execution. In such a case the Company may petition that the Order be modified to reflect these regulatory changes.

This the 27th day of September 1978.

Attested by: L. T. Boet.

Columbus Forest Industries.

R. R. RICHARDSON  
Woodlands Vice President.

Approved and accepted by:

H. W. WHITLEY,  
Chairman, Environmental  
Management Commission.

Attested by:

A. F. McRORIE,  
Secretary, Environmental  
Management Commission.

Dated: October 13, 1978.

[FR Doc. 79-2330 Filed 1-22-79; 8:45 am]

[6560-01-M]

[40 CFR Part 65]

[FRL 1041-5; Docket No. DCO-78-54]

**STATE AND FEDERAL ADMINISTRATIVE  
ORDERS PERMITTING A DELAY IN COMPLIANCE  
WITH STATE IMPLEMENTATION PLAN  
REQUIREMENTS**

**Proposed Approval of Delayed Compliance  
Order Issued by the North Carolina Environ-  
mental Management Commission to Duke  
Power Company**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed Rule.

**SUMMARY:** EPA proposes to approve a delayed compliance order issued by the North Carolina Environmental Management Commission to Duke Power Company, Belews Creek Steam Station in Walnut Cove, North Carolina. The delayed compliance order requires Duke Power Company, Belews Creek Steam Station, to bring air emissions from the Number 2 coal fired boiler in Walnut Cove, North Carolina, into compliance with an applicable regulation contained in the North Carolina State Implementation Plan (SIP) by July 1, 1979. Because the order has been issued to a major source and permits a delay in compliance with the provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by the order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

**DATE:** Written comments must be received on or before February 22, 1979.

**ADDRESSEES:** Comments should be submitted to Director, Enforcement Division, EPA, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

**FOR FURTHER INFORMATION CONTACT:**

Floyd Ledbetter, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308, Telephone Number: (404) 881-4298.



**SUPPLEMENTARY INFORMATION:** Duke Power Company operates an electric generating station (Belews Creek) in Walnut Cove, Stokes County, North Carolina. The order under consideration addresses emissions from the Number 2 coal fired boiler, which are subject to the North Carolina Administrative Code (NCAC), Title 15, Chapter 2d, Section .0503. This regulation limits the emissions of particulate matter from fossil fuel burning boilers, and is part of the federally-approved North Carolina State Implementation Plan. The order requires final compliance with the regulation by July 1, 1979, through the implementation of the following schedule for the construction or installation of control equipment:

1. Begin construction of devices to implement the control plan on or before March 1, 1979.
2. Complete construction of all devices to implement the control plan on or before May 1, 1979.
3. Show by applicable testing that the Number 2 Unit of Belews Creek Steam Station meets 15 NCAC 2D.0503 and 15 NCAC 2D.0521 emission limits on or before July 1, 1979.

The source has consented to the terms of the order and has agreed to meet the order's increments during the period of this informal rulemaking. As an interim limit, the Number 2 coal fired boiler shall not emit more than 1.00 pounds/million BTU's and visible emissions shall not exceed 60% opacity averaged over any continuous six (6) hour period, prior to the attainment of the last milestone.

Because this order has been issued to a major source of particulate matter and visible emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before becoming effective as a delayed compliance order under Section 113(d) of the Clean Air Act (the Act). EPA may approve the order only if it satisfies the appropriate requirements of this subsection. EPA has tentatively determined that the order satisfies these requirements.

If the order is approved by EPA, source compliance with its terms would preclude federal enforcement action under Section 113 of the Act against the source for violations of the regulation covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the North Carolina SIP. Compliance with the proposed order will not exempt the company from complying with applicable requirements contained in any subsequent revisions to the SIP which are approved by EPA.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the *FEDERAL REGISTER* the Agency's final action on the order in 40 CFR Part 65.

(Authority: 42 U.S.C. 7413, 7601.)

Dated: January 12, 1979.

PAUL TRAINA,

Acting Regional Administrator,  
Region IV.

**SPECIAL ORDER BY CONSENT (AQ-76-173R2)**

In the matter of unauthorized discharges of air pollutants to the ambient atmosphere by Duke Power Company, Belews Creek Steam Station, Walnut Cove, Stokes County, North Carolina.

This order by consent made and entered into pursuant to North Carolina General Statute 143-215.110 and in accordance with the requirements of Section 113 of the Clean Air Act by Duke Power Company, hereinafter referred to as the Company, with the North Carolina Environmental Management Commission, and agency of the State of North Carolina, hereinafter known as the Commission.

Witnesseth:

I. The Company does hereby stipulate as follows:

A. The Company has operated and is now operating two (2) coal fired, steam generating boilers (referred to as Unit No. 1 and Unit No. 2) at its facility located near Walnut Cove, North Carolina.

B. The Company has discharged and is now intermittently discharging to the ambient atmosphere particulate and visible emissions from the Unit No. 2 coal fired, steam generating boiler in violation of 15 NCAC 2D.0503, "Control of Particulates from Fuel Burning Sources," and 15 NCAC 2D.0521, "Control of Visible Emission."

C. The Company received on May 14, 1974, Permits No. 1982R and 1983R to construct and operate visible and particulate matter emission control equipment on the two (2) coal fired, steam generating boilers in A. above.

D. The Company performed source tests on the two (2) coal fired, steam generating boilers as specified in Permits No. 1982R and 1983R. The source tests indicated violations of 15 NCAC 2D.0503.

E. The Company has modified the control equipment on Unit No. 1 and achieved compliance with 15 NCAC 2D.0503. Compliance documentation is contained in the results of a source test which was conducted on March 29 and 30, 1978.

F. The Company submitted plans for control equipment modifications on Unit No. 2 on May 31, 1978.

G. The Company let contracts for control equipment modifications on Unit No. 2 on February 15, 1978.

II. The Company desiring to comply with the legal requirements of the Commission regarding particulate emissions to the ambient atmosphere and with all pertinent provisions of the law and applicable rules and regulations of the Commission does hereby agree to do and perform all of the following

things on or before the dates hereinafter set out:

1. Begin construction of control equipment additions or modifications on Unit No. 2 on or before March 1, 1979.

2. Complete the additions and modifications to the control equipment on Unit No. 2 proposed by the Company in F above on or before May 1, 1979.

3. Achieve compliance and submit a source test documenting compliance with 15 NCAC 2D.0503 and 15 NCAC 2D.0521 for Unit No. 2 on or before July 1, 1979.

III. The Company shall operate and maintain its Unit No. 2 coal fired, steam generating boiler so as to minimize the impact of particulate and visible emissions during the period between the date this Order is executed by the Company and the date specified in this Order for compliance with 15 NCAC 2D.0503, and 15 NCAC 2D.0521. Except during start-ups and shut-downs, the visible emissions from Unit No. 2 shall not exceed sixty percent opacity (corrected to stack exit value) averaged over any continuous six hour period, nor shall particulate emissions from Unit No. 2 exceed 1.00 pounds per million BTU input.

IV. Within 45 days after approval of this order by the Commission the Company shall have continuous monitors for opacity installed on Unit No. 2, and calibrated as specified in 40 CFR 60. Subsequent to this approval, the continuous opacity monitoring charts shall be provided on request by the Commission for use in compliance and non-compliance determinations. Such monitors shall be maintained and recalibrated in accordance with 40 CFR 60 to insure that quality data is being reported. An automatic calibration cycle will be performed at least daily for each monitor.

V. Within 30 days after the period set forth in paragraph IV the Company shall commence reporting any excess emissions as follows: The Company shall notify the Director, Division of Environmental Management of any excess emissions within eighteen (18) hours. The Company shall forward a written report to the Director, Division of Environmental Management within 14 days of such excess emissions setting out the cause, duration, and remedy of such excess emissions. For the purpose of this order "excess emissions" means emissions in excess of 60% opacity (corrected to stack exit value) for six continuous hours. Excess emissions do not include those emissions associated with normal start-up or shut-down periods.

VI. The reported excess emissions shall be based on the following: The opacity on Unit No. 2 shall be measured by four visible emission monitoring instruments which meet the specifications as outlined in 40 CFR Part 60 dated October 6, 1975. The signal from each of the four instruments shall be combined and averaged for the purpose of determining unit opacity. Values shall be corrected to correspond to stack exit values. Periods exceeding 60% opacity will be evaluated by hand to determine if the six hour/60% opacity limit has been exceeded. The six hour averaging period will be a running six hour average.

VII. The Company shall submit no later than five days after the deadline for completing each increment required in Section II, certification to the Director, Division of Environmental Management, whether such increment has been performed. The Company shall submit no later than fifteen days



after the end of each quarter, commencing with the July 1 to September 30 quarter of 1978, a progress report for achieving compliance with the requirements of this Special Order.

VIII. In the event the Company fails to achieve final compliance with any emission limitation, emission standard, or compliance schedule in this Order or under the North Carolina Implementation Plan by July 1, 1979, the Company will be required to pay a mandatory noncompliance penalty pursuant to Section 120 of the Clean Air Act, 42 U.S.C. Section 7420, or North Carolina General Statute 143-215.114(a), if the Environmental Protection Agency has delegated authority to collect and assess such a penalty to the State of North Carolina. Nothing contained herein shall prevent the United States Environmental Protection Agency from taking enforcement action pursuant to Section 113 of the Clean Air Act or the Commission from assessing a civil penalty pursuant to North Carolina General Statute 143-215.114(a) as implemented by 15 NCAC 2J or from taking other enforcement action pursuant to North Carolina General Statute 143-215.114 for violating any term or condition of this Order, including failure to achieve any compliance date which is scheduled to be achieved in this Order prior to July 1, 1979.

IX. The Company agrees that this Special Order shall pertain only to that equipment or source described in Section I.B. of this Order. Unless an applicable Special Order or Permit has been issued by the Commission, any violation of Air Quality Standards, resulting from other sources or equipment for which the Company is responsible, shall subject the Company to all sanctions provided by North Carolina General Statute 143-215.114.

X. Failure of the Company to comply with any provisions contained herein, including Section III, or discharges from the two (2) coal fired, steam generating boilers after the applicable compliance dates contained in Section II in excess of applicable standards shall subject the Company to all sanctions provided by North Carolina General Statute 143-215.114.

XI. The Company hereby agrees to waive any rights it may have to seek judicial review to challenge this Special Order by Consent, or the Environmental Protection Agency's approval thereof, or to seek a stay of enforcement of this Order in connection with any judicial review of the State Implementation Plan. However, the Commission acknowledges that this waiver does not prohibit the Company from seeking modification of this Order if any regulatory standards upon which the Order is based are changed subsequent to its execution. In such a case the Company may petition that the Order be modified to reflect these regulatory changes.

This the 12th day of September, 1978.

Attested:

BUDDY E. DAVIS,  
Duke Power Company.

By: WILLIAM O. PARKER, Jr.  
Approved and accepted:

By: H. W. WHITLEY,  
Chairman Environmental  
Management Commission.

Attested:

By: A. F. McRORIE,  
Secretary, Environmental  
Management Commission.

Dated: OCTOBER 13, 1978.

[FR Doc. 79-2331 Filed 1-22-79; 8:45 am]

[6560-01-M]

[40 CFR Part 65]

[FRL 1041-6; Docket No. DCO-78-45]

**STATE AND FEDERAL ADMINISTRATIVE  
ORDERS PERMITTING A DELAY IN COMPLIANCE  
WITH STATE IMPLEMENTATION PLAN  
REQUIREMENTS**

**Proposed Approval of Delayed Compliance  
Order Issued by the North Carolina Environ-  
mental Management Commission to Duke  
Power Co.**

**AGENCY:** Environmental Protection  
Agency.

**ACTION:** Proposed Rule.

**SUMMARY:** EPA proposes to approve a delayed compliance order issued by the North Carolina Environmental Management Commission to Duke Power Company, Marshall Steam Station in Terrell, North Carolina. The delayed compliance order requires Duke Power Company, Marshall Steam Station, to bring air emissions from the Number 1 and 2 coal fired boilers in Terrell, North Carolina, into compliance with an applicable regulation contained in the North Carolina State Implementation Plan (SIP) by January 31, 1979. Because the order has been issued to a major source and permits a delay in compliance with the provisions of the SIP, it must be approved by EPA before it becomes effective as a delayed compliance order under the Clean Air Act (the Act). If approved by EPA, the order will constitute an addition to the SIP. In addition, a source in compliance with an approved order may not be sued under the federal enforcement or citizen suit provisions of the Act for violations of the SIP regulations covered by the order. The purpose of this notice is to invite public comment on EPA's proposed approval of the order as a delayed compliance order.

**DATE:** Written comments must be received on or before February 22, 1979.

**ADDRESSES:** Comments should be submitted to Director, Enforcement Division, EPA, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308. The State order, supporting material, and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

**FOR FURTHER INFORMATION  
CONTACT:**

Floyd Ledbetter, U.S. Environmental

Protection Agency, Region IV, 345 Courtland Street, N.E., Atlanta, Georgia 30308, Telephone Number: (404)-881-4298.

**SUPPLEMENTARY INFORMATION:** Duke Power Company operates an electric generating station (Marshall) in Terrell, Catawba County, North Carolina. The order under consideration addresses emissions from the Number 1 and 2 coal fired boilers, which are subject to the North Carolina Administrative Code (NCAC), Title 15, Chapter 2D, Section .0503. This regulation limits the emissions of particulate matter from fossil fuel burning boilers, and is part of the federally-approved North Carolina State Implementation Plan. The order requires final compliance with the regulation by January 31, 1979, through the implementation of the following schedule for the construction or installation of control equipment.

1. Complete installation and optimization of the Ash Conditioning System for the first unit precipitator on or before November 30, 1978.

2. Achieve compliance and submit source test documenting compliance with 15 NCAC 2D.0503, "Control of Particulates from Fuel Burning Sources," for the first unit before December 31, 1978.

3. Complete installation and optimization of the Ash Conditioning System for the second unit precipitator on or before December 31, 1978.

4. Achieve compliance and submit source test documenting compliance with 15 NCAC 2D.0503, "Control of Particulates from Fuel Burning Sources," for the second unit on or before January 31, 1979.

The source has consented to the terms of the order and has agreed to meet the order's increments during the period of this informal rulemaking. As an interim limit, the Number 1 and 2 coal fired boilers shall not emit more than 0.15 pounds/million BTU's and visible emissions shall not exceed the limits contained in 15 NCAC 2D.0521, prior to the attainment of the last milestone.

Because this order has been issued to a major source of particulate matter emissions and permits a delay in compliance with the applicable regulation, it must be approved by EPA before becoming effective as a delayed compliance order under section 113(d) of the Clean Air Act (the Act). EPA may approve the order only if it satisfies the appropriate requirements of this subsection. EPA has tentatively determined that the order satisfies these requirements.

If the order is approved by EPA, source compliance with its terms would preclude federal enforcement action under Section 113 of the Act against the source for violations of the



regulation covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provision of the Act (Section 304) would be similarly precluded. If approved, the order would also constitute an addition to the North Carolina SIP. Compliance with the proposed order will not exempt the company from complying with applicable requirements contained in any subsequent revisions to the SIP which are approved by EPA.

All interested persons are invited to submit written comments on the proposed order. Written comments received by the date specified above will be considered in determining whether EPA may approve the order. After the public comment period, the Administrator of EPA will publish in the FEDERAL REGISTER the Agency's final action on the order in 40 CFR Part 65.

(Authority: 42 U.S.C. 7413, 7601.)

Dated: January 12, 1979.

PAUL TRAINA,  
Acting Regional  
Administrator, Region IV.

#### SPECIAL ORDER BY CONSENT (AQ-76-177R)

In the matter of unauthorized discharges of air pollutants to the ambient atmosphere by Duke Power Company, Marshall Steam Station, Terrell, Catawba County, North Carolina.

This order by consent made and entered into pursuant to North Carolina General Statute 143-215.110 and in accordance with the requirements of Section 113 of the Clean Air Act by Duke Power Company, hereinafter referred to as the Company, with the North Carolina Environmental Management Commission, an agency of the State of North Carolina, hereinafter known as the Commission.

Witnesseth:

I. The Company does hereby stipulate as follows:

A. The Company has operated and is now operating two (2) coal fired, steam generating boilers (referred to as Unit 1 and Unit 2) controlled by multicyclones and electrostatic precipitators at its facility located in Terrell, North Carolina.

B. The Company has discharged and is now intermittently discharging to the ambient atmosphere particulate emissions from Unit 1 and Unit 2 coal fired, steam generating boilers in violation of 15 NCAC 2D .0503, "Control of Particulates From Fuel Burning Sources."

C. The Company was issued Special Order by Consent AQ-76-177 on September 8, 1976 which specified that the Company was to achieve and demonstrate compliance by December 31, 1977. Modifications, including ash conditioning, proposed by the Company to attain compliance were completed, however, the required source tests of January 10-12, 1978 for Unit 1 and April 4-11, 1978 for Unit 2 disclosed continued violation of the applicable standard.

D. The Company continued its ash conditioning test program and requested additional time to complete improvements involving installation and optimization of a dual chemical feed system to further en-

hance the precipitator collection efficiency by modifying the fly ash resistivity and agglomeration tendency.

II. The Company, desiring to comply with the legal requirements of the Commission regarding particulate emissions to the ambient atmosphere and with all pertinent provisions of the law and applicable rules and regulations of the Commission, does hereby agree to do and perform all of the following things on or before the dates hereinafter set out:

A. Complete installation and optimization of the ash conditioning system for the first unit on or before November 30, 1978.

B. Achieve compliance and submit a source test documenting compliance with 15 NCAC 2D .0503, "Control of Particulates From Fuel Burning Sources," for the first unit on or before December 31, 1978.

C. Complete installation and optimization of the ash conditioning system for the second unit on or before December 31, 1978.

D. Achieve compliance and submit a source test documenting compliance with 15 NCAC 2D .0503, "Control of Particulates From Fuel Burning Sources," for the second unit on or before January 31, 1979.

III. The Company shall operate and maintain its Unit 1 and Unit 2 coal fired, steam generating boilers so as to minimize the impact of particulate and visible emissions during the period between the date this Order is executed by the Company and the date specified in this Order for compliance with 15 NCAC 2D .0503, "Control of Particulates From Fuel Burning Sources." Except during start-ups and shut-downs, the visible emissions from the two units shall not exceed those limits contained in 15 NCAC 2D .0521, "Control of Visible Emissions," nor shall particulate emissions from the two units exceed 0.15 pounds per million BTU input.

IV. On or before January 31, 1979 when particulate or visible emissions due to malfunctions are or may be in excess of those interim emission limits specified in Section III of this Order for more than one continuous hour, the Company shall notify the Director, Division of Environmental Management, as promptly as possible but in no case later than eighteen (18) hours following the start of such malfunction. Such notice shall specify the nature and cause of the malfunction, the time when such malfunction was first observed, the expected duration, and an estimate of the rate of emission. The term malfunction shall not be construed to include normal start-up or shut-down periods.

V. The Company shall submit no later than five days after the deadline for completing each increment required in Section II certification to the Director, Division of Environmental Management, whether such increment has been performed. In addition to this, a complete report of progress shall be made on or before October 15, 1978.

VI. On or before October 18, 1978, the Company shall install and commence operation of continuous visible emission monitors on Unit No. 1 and Unit No. 2. Operation, calibration, maintenance, and performance specifications of these monitors shall conform to those contained in 40 CFR Part 51. Excess emissions shall be reported quarterly to the Commission in accordance with 40 CFR Part 51.

VII. In the event the Company fails to achieve final compliance with any emission limitation, emission standard, or compliance

schedule in this Order or under the North Carolina Implementation Plan by July 1, 1979, the Company will be required to pay a mandatory noncompliance penalty pursuant to Section 20 of the Clean Air Act, 42 U.S.C. Section 7420, or North Carolina General Statute 143-215.114(a), if the Environmental Protection Agency has delegated authority to collect and assess such a penalty to the State of North Carolina. Nothing contained herein shall prevent the United States Environmental Protection Agency from taking enforcement action pursuant to Section 113 of the Clean Air Act or the Commission from assessing a civil penalty pursuant to North Carolina General Statute 143-215.114(a) as implemented by 15 NCAC 2J or from taking other enforcement action pursuant to North Carolina General Statute 143-215.114 for violating any term or condition of this Order, including failure to achieve any compliance date which is scheduled to be achieved in this Order prior to July 1, 1979.

VIII. The Company agrees that this Special Order shall pertain only to that equipment or source described in Section I.A. of this Order. Unless an applicable Special Order or Permit has been issued by the Commission, any violation of Air Quality Standards, resulting from other sources or equipment for which the Company is responsible, shall subject the Company to all sanctions provided by North Carolina General Statute 143-215.114.

IX. Failure of the Company to comply with any provisions contained herein, including Section III, or discharges from the two (2) coal fired, steam generating boilers after the applicable compliance dates contained in Section II in excess of applicable standards shall subject the Company to all sanctions provided by North Carolina General Statute 143-215.114.

X. The Company hereby agrees to waive any rights it may have to seek judicial review to challenge this Special Order by Consent, or the Environmental Protection Agency's approval thereof, or to seek a stay of enforcement of this Order in connection with any judicial review of the State Implementation Plan. However, the Commission acknowledges that this waiver does not prohibit the Company from seeking modification of this Order if any regulatory standards upon which the Order is based are changed subsequent to its execution. In such a case the Company may petition that the Order be modified to reflect these regulatory changes.

This the 25th day of September, 1978.

Attested:

By: WILLIAM D. PARKER, Jr.,  
Duke Power Company.

Approved and accepted:

By: H. W. WHITLEY,  
Chairman, Environmental  
Management Commission.

Attested:

By: A. F. McRORIE,  
Secretary, Environmental,  
Management Commission.

Dated: OCTOBER 13, 1978.

[FR Doc. 79-2329 Filed 1-22-79; 8:45 am]



[6560-01-M]

[40 CFR Part 180]

[FRL 1043-7 PP 7F1911/P99]

# TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

## Proposed Tolerance for the Pesticide Chemical Gibberellins

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that a tolerance be established for residues of the plant growth regulator gibberellins A<sub>1</sub> and A<sub>2</sub>. The proposal was submitted by Abbott Laboratories. This amendment will establish a maximum permissible level for residues of gibberellins A<sub>1</sub> and A<sub>2</sub> in or on apples.

DATE: Comments must be received by February 22, 1979.

ADDRESS: Address comments to: Federal Register Section, Program Support Division (TS-757), Office of Pesticide Programs, EPA, Rm. 401, East Tower, 401 M St. SW, Washington DC 20460.

## FOR FURTHER INFORMATION CONTACT:

Mr. Robert Taylor, Product Manager (PM) 25, Registration Division (TS-767), Office of Pesticide Programs, Environmental Protection Agency (202/755-7013).

SUPPLEMENTARY INFORMATION: On March 21, 1977, notice was given (42 FR 15361) that Abbott Laboratories, Chemical and Agricultural Products Div., 14th Street and Sheridan Road, N. Chicago, IL 60064, had filed a petition (PP 7F1911) with the EPA. This petition proposed to amend 40 CFR 180.224 by establishing a tolerance for combined residues of the herbicide gibberellin A<sub>1</sub> and gibberellin A<sub>2</sub> in or on the raw agricultural commodity apples at 0.15 part per million (ppm). No comments were received in response to this notice of filing. Subsequently, the petitioner amended the petition by increasing the proposed tolerance from 0.15 ppm to 0.5 ppm. It has also been determined that rather than "herbicide," the term "plant growth regulator" should be used to describe gibberellins A<sub>1</sub> and A<sub>2</sub>. Because of the potential increase in exposure of humans to gibberellin residues resulting from the higher tolerance, the tolerance is being proposed at this time to provide an opportunity for public comment.

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tol-

erance included at rat oral acute toxicity study with a lethal dose (LD<sub>50</sub>) in excess of 3.6 grams (g)/kilogram (kg) of body weight (bw). The chief considerations in granting the proposed tolerance are: (1) Gibberellins are naturally found on apples, (2) The use of these compounds will not change the endogenous gibberellin content of the apples, and (3) Since the residue level will not be increased, the risk to the consumer of apples will not be increased.

Tolerances have previously been established for residues of gibberellic acid in or on artichokes, blueberries, citrus fruit, grapes, hops, leafy vegetables, stone fruits, sugarcane and sugarcane fodder and forage at 0.15 ppm (negligible residues). Since the levels of A<sub>1</sub> and A<sub>2</sub> are the same on both sprayed and unsprayed apples, consideration of the acceptable daily intake (ADI) and the maximum permissible intake (MPI) is not relevant to this petition. Also, since there is no discernible difference in the A<sub>1</sub> and A<sub>2</sub> level in treated vs. control samples, there will be no problem with secondary residues in eggs, meat, milk, or poultry.

The metabolism of the gibberellins is adequately understood, and an analytical method (combined TLC/fluorometry) is available for enforcement purposes. No desirable data are lacking, no regulatory actions are pending against continued registration of the plant growth regulator, and no other considerations are involved in establishing the proposed tolerance.

The pesticide is considered useful for the purpose for which a tolerance is sought, and it is concluded that the tolerance of 0.5 ppm on apples established by amending 40 CFR 180.224 will protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for the registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act, which contains any of the ingredients listed herein, may request by February 22, 1979 that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition/document control number, "PP 7F1911/P99". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 408(e), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)).

Dated: January 17, 1979.

DOUGLAS D. CAMPT,  
Acting Director,  
Registration Division.

It is proposed that Part 180, Subpart C, § 180.224 be revised in its entirety to read as follows:

## § 180.224 Gibberellins; tolerances for residues.

(a) Tolerances are established for negligible residues (N) of the plant growth regulator gibberellin A<sub>1</sub> in or on the following raw agricultural commodities:

### Commodity and Parts per million

Artichokes.....	0.15 (N)
Blueberries.....	0.15 (N)
Citrus fruits.....	0.15 (N)
Grapes.....	0.15 (N)
Hops.....	0.15 (N)
Leafy vegetables.....	0.15 (N)
Stone fruits.....	0.15 (N)
Sugarcane.....	0.15 (N)
Sugarcane fodder.....	0.15 (N)
Sugarcane forage.....	0.15 (N)

(b) A tolerance is established for combined residues of the plant growth regulator gibberellin A<sub>1</sub> and A<sub>2</sub> in or on the following raw agricultural commodity:

### Commodity and parts per million

Apples.....	0.5
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[FR Doc. 79-2336 Filed 1-22-79; 8:45 am]

[6560-01-M]

[40 CFR Part 180]

[FRL 1043-8; PP 7F1979/P102]

# TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

## Proposed Exemption From Requirement of a Tolerance for the Pesticide Chemical Chlorotoluene

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes that an exemption from the requirement of a tolerance be established for the inert ingredient chlorotoluene. The proposal was submitted by Monsanto Co. This regulation would permit the use of chlorotoluene as a solvent or cosolvent in pesticide formulations.

DATE: Comments must be received by February 22, 1979.

ADDRESS: Federal Register Section, Program Support Division (TS-757), Office of Pesticide Programs, EPA, Rm. 401, East Tower, 401 M Street, SW, Washington DC 20460.

## FOR FURTHER INFORMATION CONTACT:



Mr. David L. Ritter, Hazard Evaluation Division (TS-767), Office of Pesticide Programs, EPA (202/426-2680).

**SUPPLEMENTARY INFORMATION:** Monsanto Agricultural Products Co., 800 N. Lindbergh Blvd., St. Louis, MO 63166, and Hooker Chemicals and Plastics Corp., Niagara Falls, NY 14302, have submitted a joint pesticide petition (PP 7F1979) to the EPA. This petition requests that the Administrator propose that 40 CFR 180 be amended by the establishment of an exemption from the requirement of a tolerance for residues of the inert ingredient chlorotoluene, an isomeric mixture predominantly of ortho- and para-monochlorotoluene with up to 6% unreacted toluene and a boiling range of 110 degrees C to 162 degrees C, when used as a solvent or cosolvent in pesticide formulations with the following restrictions: (a) not for use after edible parts of the plant begin to form and (b) do not graze livestock in treated areas within 48 hours after application.

Inert ingredients are all ingredients which are not active ingredients as defined in 40 CFR 162.3(c), and include, but are not limited to the following types of ingredients (except when they have pesticidal efficacy of their own): Solvents such as water; baits such as sugar, starches, and meat scraps; dust carriers such as talc and clay; fillers; wetting and spreading agents; propellants in aerosol dispensers; and emulsifiers. The term inert is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed exemption from the requirements of a tolerance included a 90-day rat feeding study with a no-observable-effect level (NOEL) of 6,000 parts per million (ppm) based on systemic effects and a 90-day dog feeding study with an NOEL of 4,000 ppm based on systemic effects. These data satisfy toxicological requirements for granting an exemption from a tolerance requirement under Subpart D of 40 CFR 180. A closely related substance, chlorobenzene, is listed in 40 CFR 180.1001(d) with some restrictions on proposed uses.

Since chlorotoluene is an inert ingredient, no tolerances or exemptions from requirement of a tolerance have been previously established for its residues. No data are available to determine whether residues will occur in meat, milk, eggs, or poultry from the proposed uses. Since there is no reasonable expectation of residues on edible parts of crops, potential residues, if any, from the proposed use are

not considered to be of toxicological significance.

Based on the 90-day dog feeding study and a 2,000-fold safety factor the acceptable daily intake (ADI) is 0.05 milligram (mg)/kilogram (kg) of body weight (bw)/day. The maximum permissible intake (MPI) is 3 mg/day. The nature of the residue is adequately understood, and an adequate analytical method (gas chromatography) is available for enforcement purposes. No actions are currently pending against chlorotoluene, nor are other considerations involved in establishing this exemption.

Based on the above information, available information on the chemistry of chlorotoluene, and a review of its use, it has been found that when used in accordance with good agricultural practice, chlorotoluene is useful and does not pose a hazard to the environment. It is concluded, therefore, that the proposed amendment to 40 CFR 180 will protect the public health and it is proposed that the regulation be established as set forth below.

Any person who has registered or submitted an application for the registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act, which contains any of the ingredients listed herein, may request on or before February 22, 1979 that this rulemaking proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition/document control number, "PP 7F1979/P102". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

(Sec. 408(e), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(e)).)

Dated: January 18, 1979.

HERBERT S. HARRISON,  
Acting Director,  
Registration Division.

It is proposed that Part 180, Subpart D, be amended by adding the new § 180.1045 to read as follows:

§ 180.1045 Chlorotoluene; exemption from the requirement of a tolerance.

Chlorotoluene, an isomeric mixture predominantly of ortho- and para-monochlorotoluene with up to 6 percent unreacted toluene and a boiling range of 110 degrees C to 162 degrees C, is exempted from the requirement of a tolerance when used as a solvent or cosolvent in pesticide formulations with the following restrictions:

(a) Not for use after edible parts of the plant begin to form.

(b) Do not graze livestock in treated areas within 48 hours after application.

[FR Doc. 79-2335 Filed 1-22-79; 8:45 am]

[4110-35-M]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Care Financing Administration

[42 CFR Parts 402, 405 and 433]

## UNIFORM REPORTING SYSTEMS FOR HEALTH SERVICES FACILITIES AND ORGANIZATIONS

AGENCY: Health Care Financing Administration (HCFA), HEW.

ACTION: Proposed rule.

**SUMMARY:** This proposal requires all hospitals participating in the Medicare or Medicaid program to report cost-related information in a prescribed uniform manner. It implements certain provisions of section 19 of the Medicare-Medicaid Anti-Fraud and Abuse Amendments (Pub. L. 95-142). The purpose is to obtain comparable cost and related data on all participating hospitals for reimbursement, effective cost and policy analysis, assessment of alternative reimbursement mechanisms and health planning.

**DATES:** We will consider written comments or suggestions received by April 23, 1979.

**ADDRESSES:** Address comments to: Administrator, Health Care Financing Administration, Department of Health, Education, and Welfare, Post Office Box 2382, Washington, D.C. 20013.

In commenting, please refer to File Code PCO-185-P. Comments will be available for public inspection in Room 5231 of the Department's offices at 330 C Street, SW., Washington, D.C. 20201 on Monday through Friday of each week from 8:30 AM to 5:00 PM. (202-245-0950).

**FOR FURTHER INFORMATION CONTACT:**

Maurice Click, (301) 594-8544.

**SUPPLEMENTARY INFORMATION:**

### STATUTORY BASIS

Section 19 of Pub. L. 95-142 (Section 1121 of the Social Security Act; 42 U.S.C. 1320(a)) requires the establishment of uniform reporting systems for providers participating in Medicare and Medicaid. The systems are to be established by October 24, 1978, for hospitals, skilled nursing facilities and intermediate care facilities; and by October 24, 1979, for home health agencies, health maintenance organizations, and other types of health serv-



ices facilities and organizations. The uniform reporting systems must provide information on (1) costs and volume of services; (2) rates; (3) capital assets; (4) discharge data; and (5) billing data.

Section 19 also requires (1) monitoring of the systems; (2) assistance with and support of demonstrations and evaluations of the systems; (3) encouragement to States to adopt the uniform systems for purposes in addition to Medicaid; (4) periodical revision to the systems to make them more effective and less costly; and (5) the provision of information obtained from the reports to appropriate agencies and organizations, including health planning agencies.

The law also requires:

1. Consideration of appropriate variations in applying the uniform systems to different classes of facilities; and
2. Making the system, to the extent practicable, consistent with systems already in effect under section 306(e)(1) of the Public Health Service Act.

#### REGULATORY IMPLEMENTATION

HCFA will be phasing in the required reporting systems as they are developed. The reporting system covered by this proposed rule applies only to hospitals. Moreover, it applies only to those portions of the reporting system dealing with costs and volume of services and with capital assets. The remainder of the system, dealing with rates, discharge data and billing data, will be covered by a subsequent Notice of proposed Rulemaking.

This proposed regulation establishes a System for Hospital Uniform Reporting (SHUR). However, the proposed regulation does not set forth the details of SHUR. It merely sets forth the basic reporting requirements and the provisions for public disclosure of SHUR information. The details of the reporting requirements, including forms and instructions, are contained in the SHUR manual, which is also available for public comment.

#### MAJOR PROVISIONS

##### 1. REPORTING REQUIREMENTS

This proposed rule would require all Medicare and Medicaid hospitals to report on the costs of their operation and the volume of their services, both in the aggregate and by functional accounts. It would also require them to report their capital assets.

In accordance with section 19, a hospital would be required to file SHUR reports for fiscal years that begin at least 6 months after the effective date of the regulation.

The hospital would be required to submit its report no later than 3 months following the close of its fiscal

year. The hospital could, however, obtain a 30-day extension of its reporting deadline for good cause. Based on our previous experience, good cause would be found, for example, if a CPA could not complete his review or if the hospital had to replace lost or destroyed records.

These SHUR reports will incorporate and replace the present cost reports used by Medicare fiscal intermediaries to calculate reimbursement. Although the statute authorizes the reports to be submitted to the Secretary, we have concluded that since they are used by the fiscal intermediaries for cost settlement, they should be sent there directly. Hospitals participating in Medicare (including those participating in both Medicare and Medicaid) would submit the report to their regular fiscal intermediary, or the Medicare Division of Direct Reimbursement. Those hospitals participating only in Medicaid would submit the report to a fiscal intermediary designated by HCFA. We believe that having these Medicaid only reports collected by the fiscal intermediaries will facilitate the analysis and compilation of SHUR data.

##### 2. DISCLOSURE OF SHUR INFORMATION

We are proposing that information contained in the uniform reports, that does not contain patient identifiers, be made available to health systems agencies, state health planning agencies, and upon request, to any other agency or organization. The decision to make this information available to any other agency or organization is predicated on the fact that section 1121(c) of the Act, which was added by Pub. Law 95-142, provides that we make the information available to "appropriate agencies and organizations," including State health planning agencies designated under section 1521 of the Public Health Act (42 U.S.C. 300m). We note, however, that State health planning agencies are required, by section 1522(b)(6)(C) of the Public Health Act, to make their records and data available upon request to the general public. Therefore, since we would be releasing the information to the State health planning agency, and since the public can obtain the information from the State health planning agency upon request, we propose to release the information directly to any requesting agency or organization. We are proposing to interpret "appropriate agencies and organizations" to mean any agency or organization that requests this information.

The issue of whether cost report data should be made available to the public has been the subject of litigation under the Freedom of Information Act. Our regulations, at 20 CFR 422.435, currently make hospital Medi-

care cost reports available to the general public upon request. Several courts have enjoined the release of these reports, based upon the Freedom of Information Act. However, these cases have been decided prior to the passage and implementation of section 1121(c). In our view, the implementation of section 1121(c) will form a basis for the Department to request that the courts reconsider their prior orders and to oppose successfully future suits.

The information covered by this proposed regulation would be provided by HCFA, or, as a matter of administrative convenience, directly by the fiscal intermediaries. When this regulation is amended to include further reporting requirements concerning rates of payment, discharge and bill data, we will review the question of disclosing that information and will solicit public comment. We would normally require an agency requesting information to pay for the cost of reproducing copies of the information.

#### THE SHUR MANUAL

The draft SHUR manual sets forth the definitions, principles, and statistics to be used in preparing and submitting reports. It also contains a detailed, functional chart of accounts which must be used to reconcile a hospital's internal books and records in order to file the SHUR report. However, the chart of accounts would not be required as the hospital's day-to-day accounting system.

In order to avoid duplication, and to be consistent with section 1861(v)(1)(F), this draft manual would incorporate the current Federal cost report required for Medicare and Medicaid.

The manual contains special provisions for certain hospitals. We recognize that some hospitals, typically public hospitals, currently maintain a cash basis of accounting. The SHUR system, however, is based on an accrued basis of accounting. To give these hospitals time to convert to an accrual basis, they would be permitted to phase in the new reporting requirements over a 2-year period.

We are also concerned that the full reporting requirements of SHUR might be unnecessarily burdensome on small hospitals. Consequently, we would allow a less detailed report to be submitted by hospitals that, for the 3 accounting periods preceding the reporting period, have had average annual admissions of less than 4,000.

#### REGULATORY ANALYSIS

We have made every effort to minimize the cost and reporting burden associated with this proposed regulation. We estimate that the portion of implementation costs to be borne by the



hospital industry will be between \$21 million and \$45 million. The factors considered in calculating these estimates include: (1) The experience of States which have implemented systems similar to SHUR (based on their experience, we estimate that total implementation costs will range between \$35 million and \$75 million); and (2) that implementation and operational costs will be considered allowable costs and subject to reimbursement by all third party payors including Medicare and Medicaid. (For FY 1976, Federal programs covered approximately 40 percent of all hospital costs.) These estimates do not take into account any savings that might be realized as a result of combining new and existing requirements.

Nevertheless, because of the possibility that implementation costs may exceed present estimates, we are undertaking a study to establish more precisely the cost of implementing and operating the system. The study will also assess any additional reporting burden placed on the hospital by implementing the proposed system. The study will examine the hospitals' effort to meet existing requirements and the resultant change in burden effort to meet the SHUR requirements. Our staff has worked closely with American Hospital Association and the Blue Cross Association in structuring this study. We believe that it will provide an objective analysis of the cost and burden of complying with this proposed regulation. Based on the results of this study, the Department will decide if a regulatory analysis is needed.

Concurrent with this study and as an ongoing responsibility, HCFA will continue to examine the system and make changes, requiring only pertinent and necessary information to keep the costs and burden associated with the system to a minimum. We are particularly concerned about the extent to which SHUR would impose a new burden on providers. We specifically request suggestions on how to reduce burden in a manner consistent with the legislative requirements in the following areas:

- Level of detail
  - Modification, consolidation, or elimination of specific reporting requirements or forms
  - Eliminate requirements to directly assign such costs as fringe benefits
  - Forms
  - Forms design
  - Alternatives to hard copy reporting
  - Standard Units of Measure
  - Modification or identification of alternate standard units of measure
- We also welcome comments that identify potential omission or areas in which more detailed reporting is necessary to meet the intention of Pub. L. 95-142.

Prior to issuing final regulations, the proposed system will be evaluated on the basis of study results, HCFA's internal assessment and public comment. Changes will be made to SHUR which reduce burden to the degree possible, within the legislative mandate and the needs of the Department.

#### OPPORTUNITY TO COMMENT

The draft SHUR manual was previously distributed to various hospital professional organizations and to selected State agencies for their views and suggestions. Copies of the draft manual are available for review and may be obtained by writing to:

Chief, Printing and Publications Branch,  
Division of Administrative Services, OMB,  
Health Care Financing Administration,  
DHEW, Room G-115 B, Mary E. Switzer  
Building, 330 C Street, S.W., Washington,  
D.C. 20201.

In order to assure that comments are fully considered, they should be submitted on or before April 23, 1979.

As further portions of this system are developed, we will provide a public notice that they are available for comment.

42 CFR Chapter IV is amended as set forth below:

1. The table of contents is amended to read as follows:

#### CHAPTER IV—HEALTH CARE FINANCING ADMINISTRATION DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### SUBCHAPTER A—GENERAL PROVISIONS

Part  
400-401 [Reserved]  
402 Uniform Reporting Systems  
403-404 [Reserved]

##### SUBCHAPTER B—MEDICARE PROGRAMS

405 Federal Health Insurance for the Aged and Disabled

2. A new Part 402 is added, to read as follows:

#### PART 402—UNIFORM REPORTING SYSTEMS

##### Subpart A—Hospital Reporting

Sec.  
402.1 Definitions.  
402.2 Statutory provisions.  
402.3 Applicability.  
402.8 Reporting requirements.  
402.10 Availability of information.

AUTHORITY: Secs. 1121, 1861(v)(1)(F), and 1902(a)(40) of the Social Security Act (42 U.S.C. 1320a, 1395x(v)(1)(F) and 1396a(a)(40)).

#### § 402.1 Definitions.

"Act" means the Social Security Act.  
"HCFA" means the Health Care Financing Administration.

#### § 402.2 Statutory provisions.

(a) Section 1121(a) of the Act requires that the Secretary establish a uniform system for reporting of:

- (1) Costs and volume of health care services;
- (2) Rates charged for those services;
- (3) Capital assets of health care facilities and organizations;
- (4) Discharge data; and
- (5) Billing data.

(b) Sections 1861(v)(1)(F) and 1902(a)(40) of the Act require Medicare and Medicaid providers to report in accordance with the system established under section 1121(a) of the Act.

#### § 402.3 Applicability.

This subpart applies to all hospitals participating in the Medicare or Medicaid program.

#### § 402.8 Reporting requirements.

The System for Hospital Uniform Reporting (SHUR), established by HCFA, requires hospitals to meet the following requirements:

(a) *Information to be reported.* Hospitals shall report: (1) Costs of operation and volume of services, both in aggregate and by functional accounts; and

(2) Capital assets.  
(b) *Manner of reporting.* The hospital shall report in accordance with the forms and instructions prescribed by SHUR.

(c) *Timing and submission of reports.* (1) *Initial report.* The initial report under SHUR shall be for the hospital's first fiscal year that begins more than 6 months after the effective date of these regulations.

(2) *Submittal.* The hospital shall submit SHUR reports no later than the last day of the third month following the close of its fiscal year to:

(i) its Medicare intermediary (or the Medicare Division of Direct Reimbursement); or

(ii) if the hospital is participating only under Medicaid, to the Medicare intermediary designated by HCFA.

(3) *Extension.* The intermediary, after obtaining HCFA's approval, may, for good cause shown by the hospital, grant a 30-day extension for submitting the report.

#### § 402.10 Availability of information.

HCFA or its agents will, in a timely manner, provide information collected under this subpart to:

(a) health systems agencies and State health planning and development agencies that need it to carry out their functions; and

(b) upon request, to any other agency or organization.



**PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED**

3. Part 405, Subpart J, is amended by adding a new § 405.1050 to read as follows:

§ 405.1050 Conditions of participation: Uniform reporting.

The hospital complies with the requirements of Part 402, Subpart A, of this chapter, with respect to uniform reporting.

**PART 433—STATE FISCAL ADMINISTRATION**

4. Part 433 is amended by adding a new § 433.39 to read as follows:

§ 433.39 Uniform reporting: State plan requirements.

A State plan for medical assistance must provide that the State agency will require providers that are specified in Part 402 of this chapter to meet the applicable requirements of Part 402 with respect to uniform reporting.

(Secs. 1121, 1861(v)(1)(F) and 1902(a)(40) of the Social Security Act (42 U.S.C. 1320a, 1395x(v)(1)(F) and 1396a(a)(40)). (Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program; No. 13.773, Medicare-Hospital Insurance.)

Dated: September 25, 1978.

ROBERT A. DERZON,  
Administrator, Health Care  
Financing Administration.

Approved: January 12, 1979.

HALE CHAMPION,  
Acting Secretary.

[FR Doc. 79-2074 Filed 1-22-79; 8:45 am]

**[6712-01-M]****FEDERAL COMMUNICATIONS COMMISSION**

[47 CFR Parts 0, 5, 21, 23, 25, 73, 74, 78, 81, 89, 91, 93, 94, 95, 97, and 99]

[Gen. Docket No. 78-365]

**PROTECTION OF FCC MONITORING STATIONS, FROM RADIO INTERFERENCE****Order Extending Time To File Comments and Reply Comments**

AGENCY: Federal Communications Commission.

ACTION: Order Extending Time to File Comments and Reply Comments.

SUMMARY: Order extending time to file comments from January 22, 1979 to March 22, 1979 and reply comments from February 21, 1979 to April 23, 1979 to the Notice of Proposed Rulemaking proposing Amendments to Parts 0, 5, 21, 23, 25, 73, 74, 78, 81, 87, 89, 91, 93, 94, 95, 97, and 99 of the

Commission's Rules Relative to the Protection of FCC Monitoring Stations, from Radio Interference—GEN Docket No. 78-365.

DATES: Comments must be filed on or before March 22, 1979. Reply comments must be filed on or before April 23, 1979.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW., Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**

William A. Luther, Chief, Engineering Division, Field Operations Bureau, Room 738, 1919 M St., NW., Washington, D.C. 20554 (202-632-7593).

**SUPPLEMENTARY INFORMATION:**

Adopted: January 15, 1979.

Released: January 17, 1979.

In the matter of amendments to Parts 0, 5, 21, 23, 25, 73, 74, 78, 81, 87, 89, 91, 93, 94, 95, 97, and 99 of the Commission's rules relative to the protection of FCC monitoring stations, from radio interference, GEN Docket No. 78-365. See 43 FR 54106, November 20, 1978.

1. The Commission has before it a Petition to Extend the Time for Filing Comments in General Docket No. 78-365<sup>1</sup> in the above captioned matter submitted by The American Radio Relay League, Incorporated, represented about 150,000 full or associate members.

2. The petitioner states that the original sixty-seven days provided for submitting comments is insufficient to disseminate the FCC proposals to League membership, and to permit publishing the Notice in the January, 1979 issue of their monthly Journal, QST.

3. In review of the fact that the Commission is most interested in securing a widespread base for comments in this rulemaking proceeding so that final determinations could be founded on as complete a record as possible, it appears that an extension of time is warranted.

4. Accordingly, under authority delegated by Section 0.311 of the Commission's Rules, it is ordered that the time for the filing of comments in General Docket No. 78-365 is extended until March 22, 1979, and for reply comments until April 23, 1979.

C. PHYLL HORNE,  
Chief, Field Operations Bureau.

[FR Doc. 79-2299 Filed 1-22-79; 8:45 am]

<sup>1</sup>Notice of Proposed Rulemaking, FCC General Docket No. 78-365; adopted November 6, 1978, 43 FR 54106.

**[6712-01-M]**

[47 CFR Part 73]

[Docket No. 20576; RM-2467; RM-2468; RM-2578]

**FM BROADCAST STATIONS IN FRANKLIN AND KEENE, N.H., AND BENNINGTON AND BRATTLEBORO, VT., ETC.****Order Extending Time For Filing Reply Comments**

AGENCY: Federal Communications Commission.

ACTION: Order extending time.

SUMMARY: Action taken herein extends the time for filing reply comments in a proceeding involving FM channel assignments in the states of New Hampshire, Vermont and Maine. The additional time is given so that parties can make a response to the counterproposals to assign channels to Concord, New Hampshire, and Lyndon, Vermont.

DATE: Reply comments must be filed on or before January 25, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**

Mark N. Lipp, Broadcast Bureau  
(202) 632-7792.

**SUPPLEMENTARY INFORMATION:****ORDER EXTENDING TIME FOR FILING REPLY COMMENTS**

Adopted: January 16, 1979.

Released: January 17, 1979.

In the matter of amendment of § 73.202(b), *Table of Assignments*, FM Broadcast Stations. (Franklin and Keene, New Hampshire and Bennington and Brattleboro, Vermont, also Conway, Littleton, Meredith, Plymouth, Rochester, and Wolfeboro, New Hampshire, and Skowhegan, Maine.), Docket No. 20576. RM-2467, RM-2468, RM-2578.

1. On October 27, 1978, the Commission adopted a *Further Notice of Proposed Rule Making and Orders to Show Cause*, 43 FR 51652, concerning the above-entitled proceeding. The date for filing reply comments is presently January 16, 1979.

2. On December 28, 1978, two petitions were filed: (1) Lloyd F. Simon and Edward F. Perry, Jr., requesting the assignment of either Channel 287 or Channel 288A to Concord, New Hampshire; and (2) Lyndon State College requesting the assignment of Channel 288A to Lyndon, Vermont.

3. Public Notice of these counterproposals (Concord, New Hampshire RM-3301, and Lyndon, Vermont RM-3300) was given on January 10, 1979. Since



these petitions are entitled to be considered as timely filed counterproposals in this proceeding, we are consolidating them and on our own motion, are extending the time for filing reply comments in order to give all parties an opportunity to prepare a response to these counterproposals.

4. Accordingly, it is ordered, That the date for filing reply comments in Docket No. 20576 is extended to and including January 25, 1979.

5. This action is taken pursuant to authority found in Sections 4(i), 5(d)(1) and 303(r) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

FEDERAL COMMUNICATIONS  
COMMISSION,

WALLACE E. JOHNSON,  
Chief, Broadcast Bureau.

[FR Doc. 79-2302 Filed 1-22-79; 8:45 am]

#### [4310-55-M]

#### DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

#### ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Proposed Rulemaking To Provide for the  
Establishment of Manatee Protection Areas

AGENCY: Fish and Wildlife Service,  
Interior.

ACTION: Proposed Rulemaking.

SUMMARY: The Service proposes to provide a means for the Director to establish manatee protection areas. Within these areas certain waterborne activities, such as boating and swimming, would be restricted or prohibited.

Research conducted by the National Fish and Wildlife Laboratory of the U.S. Fish and Wildlife Service and the University of Miami indicate that human activities, such as the operation of motor boats and swimming, in areas where manatees may congregate are a significant cause of manatee injuries and deaths. Any areas established under the proposed rules, if finalized, would reduce the incidence of manatee injuries and deaths by using the provisions of the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973 to lessen the likelihood that manatees will encounter boats and people.

DATES: Public comment on this proposed rulemaking is invited. To be considered, comments must be received by February 22, 1979.

ADDRESSES: Comments should be submitted to the Director (FWS/LE), U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036.

Comments should include the file number, REG 17-02-76. Comments and materials received will be available for public inspection during normal business hours at the Service's Division of Law Enforcement, Suite 600, 1612 K Street, NW., Washington, D.C. 20006.

#### FOR FURTHER INFORMATION CONTACT:

Mr. Marshall L. Stinnett, Special Agent in Charge, Branch of Regulations and Penalties, Division of Law Enforcement, Fish and Wildlife Service, Suite 600, 1612 K Street, NW., Washington, D.C. 20006, 202-343-9237.

#### SUPPLEMENTARY INFORMATION:

##### BACKGROUND

The West Indian manatee, *Trichechus manatus*, is a protected marine mammal which has also been listed as an Endangered species. The only sizeable manatee population in the United States inhabits inland and coastal waters of the State of Florida. During warmer months some of the animals move into coastal waters of neighboring states. Currently available data suggests there is a manatee population in Florida of between 800 and 1,000. Available population estimates have been evaluated in light of the known level of manatee mortality in Florida, based on information gathered by the National Fish and Wildlife Laboratory of the U.S. Fish and Wildlife Service, and the University of Miami. Estimates indicate that the population is undergoing a serious decline. The high rate of mortality could also indicate a larger population than has been assumed. Until better data are available, however, it is prudent to base management policies on the most conservative estimates of population size.

Results of the cooperative manatee salvage and mortality study conducted by the University of Miami and the National Fish and Wildlife Laboratory of the U.S. Fish and Wildlife Service indicate that human activities are by far the greatest identifiable cause of manatee mortality in Florida. More than 50 percent of human-caused deaths investigated during the salvage program were attributed to boat or barge collisions. Furthermore, a high percentage of living manatees bear wounds and deformities caused by propellers. Additional human-related causes of manatee mortality are the tangling of manatees in nets and discarded fishing lines, and the harassment of manatees by apparently well-meaning, as well as vandalous, swimmers and divers. Such harassment will often force manatees away from warm springs and into colder water, where they become stressed and are more prone to disease. Harassment also

causes disruption of the relationship between females and their nursing calves.

The major source of the above information is Brownell, Robert L., Jr., Katherine Ralls, and Randal R. Reeves (editors), *Report of the West Indian Manatee Workshop*, Orlando, Florida, March 27-29, 1978, 37 pp.

##### EFFECT OF THE RULEMAKING

The problem of manatee mortality caused by people and their activity was one of the concerns of Congress when it passed the Marine Mammal Protection Act of 1972. House Report 92-707 states that " \* \* \* H.R. 10420 would provide the Secretary of the Interior with adequate authority to regulate or even to forbid the use of power boats where manatees are found \* \* \* " (H.R. Rep. No. 707, 92d Cong., 2d Sess. 17-18 (1972)).

The proposed regulations are intended to exercise this authority. They would allow the Director to establish areas of water under the jurisdiction of the United States, both inland and coastal, within which certain waterborne activities would be restricted or prohibited. Such restrictions could include limits on the speed of boats, as well as other restrictions on activities such as boating, swimming, fishing, water skiing, and skin and scuba diving. The purpose of the regulations, the protection of manatees, is stated in § 17.100.

Section 17.101, Scope, explains that the subpart applies to the West Indian manatee (*Trichechus manatus*). Section 17.102 defines the terms "manatee sanctuary," "manatee refuge," "manatee protection area," "waterborne activity," and "water vehicle." These terms are all crucial to the establishment of areas within which manatees can be protected from harmful interaction with people and their activities.

Section 17.103 provides for the actual establishment of manatee protection areas. The Director, by regulations, may establish sanctuaries within which all waterborne activities, such as boating and swimming, would be prohibited. The Director may also establish refuges in which only certain activities would be prohibited or restricted. As an example, within a particular area boat speed could be limited or the number of swimmers allowed in the water at one time could be restricted.

Section 17.104 states the prohibitions applicable to the protection areas. It explains that it is unlawful to engage in any waterborne activity within a manatee sanctuary, or to engage in any waterborne activity in a manner contrary to that permitted within a manatee refuge by regulations applicable to that refuge. This



section also makes it unlawful to engage in any waterborne activity prohibited by or in a manner contrary to that permitted by any State law or regulation the primary purpose of which is the protection of manatees. finally, the section allows an exception to the prohibitions when engaging in any prohibited activity which is reasonably necessary to prevent the loss of life or property due to weather conditions or other reasonably unforeseen circumstances.

Section 17.105 provides for the issuance of permits to allow permit holders to engage in activities otherwise prohibited by this subpart.

Emergency establishment of manatee protection areas is provided for in § 17.106. This section would allow the emergency establishment of a protection area if substantial evidence shows there is imminent danger of a taking of one or more manatees.

The final section, § 17.107, is reserved for the listing of designated manatee protection areas.

#### AUTHORITY

This rulemaking and the establishment of manatee protection areas are authorized by sections 101(a), 102(a)(2), 104, 105, and 112(a) of the Marine Mammal Protection Act of 1972, 86 Stat. 1027 (16 U.S.C. 1371(a), 1372(a)(2), 1374, 1375, and 1382(a)); and by sections 4(d) and (f), 9(a)(1)(G), and 11(a) of the Endangered Species Act of 1973, 87 Stat. 884 (16 U.S.C. §§ 1533(d) and (f), 1538(a)(1)(G), and 1540(a)(1)).

NOTE.—The Service has determined that this proposed rulemaking is not a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969. The Department has determined that this is not a significant rulemaking and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14.

The primary author of this proposal is Kenneth J. Hirsh, Legal Specialist, Division of Law Enforcement, U.S. Fish and Wildlife Service, 202-343-9237.

#### REGULATION PROMULGATION

Accordingly, it is hereby proposed to amend Title 50, Chapter I, Subchapter B, Part 17 in the following manner:

1. The table of sections for Part 17 is amended by adding the following, after Subpart J:

\* \* \*

#### Subpart J—Manatee Protection Areas

- 17.100 Purpose.
- 17.101 Scope.
- 17.102 Definition.
- 17.103 Establishment of protection areas.
- 17.104 Prohibitions.

- 17.105 Permits.
- 17.106 Emergency establishment of protection areas.
- 17.107 List of designated manatee protection areas [RESERVED]

AUTHORITY: Marine Mammal Protection Act of 1972, 86 Stat. 1027, as amended, §§ 101(a), 102(a)(2), 104, 105, and 112(a) [16 U.S.C. §§ 1371(a), 1372(a)(2), 1374, 1375, and 1382(a)]; Endangered Species Act of 1973, 87 Stat. 884, as amended, §§ 4(d) and (f), 9(a)(1)(G), and 11(a)(1) [16 U.S.C. §§ 1533(d) and (f), 1538(a)(1)(G), and 1540(a)(1)].

2. Part 17 is amended by adding the following new subpart immediately after § 17.95:

\* \* \*

#### Subpart J—Manatee Protection Areas

##### § 17.100 Purpose.

This subpart provides a means for establishing areas of water under the jurisdiction of the United States within which certain waterborne activities will be restricted or prohibited for the purpose of preventing the taking of manatees.

##### § 17.101 Scope.

This subpart applies to the West Indian manatee (*Trichechus manatus*), also known as the Florida manatee and as the sea cow. The provisions of this subpart are in addition to, and not in lieu of other regulations contained in this subchapter B which may require a permit or prescribe additional restrictions on the importation, exportation, transportation, or taking of wildlife, and the regulations contained in Title 33, Code of Federal Regulations, which regulate the use of navigable waters.

##### § 17.102 Definitions.

In addition to definitions contained in the Act and in Part 10 of this subchapter, and unless the context otherwise requires, in this subpart: "Manatee sanctuary" means an area in which the Director has determined that any waterborne activity would result in a taking of one or more manatees, including but not limited to a taking by harassment.

"Manatee refuge" means an area in which the Director has determined that certain waterborne activity would result in the taking of one or more manatees, or that certain waterborne activity must be restricted to prevent the taking of one or more manatees, including but not limited to a taking by harassment.

"Manatee protection area" means a manatee refuge or a manatee sanctuary.

"Waterborne activity" includes, but is not limited to, swimming, diving (including skin and scuba diving), snor-

keling, water skiing, surfing, fishing, and the use of water vehicles.

"Water vehicle" includes, but is not limited to, boats (whether powered by engine, wind, or other means), ships (whether powered by engine, wind, or other means), barges, surfboards, water skis, or any other device or mechanism the primary or an incidental purpose of which is locomotion on, across, or underneath the surface of the water.

##### § 17.103 Establishment of protection areas.

The Director may, by regulation issued in accordance with 5 U.S.C. 553 and 14 CFR Part 14, establish manatee protection areas whenever there is substantial evidence showing such establishment is necessary to prevent the taking of one or more manatees. Any regulation establishing a manatee protection area shall state the following information:

(a) Whether the area is to be a manatee sanctuary or refuge.

(1) If the area is to be a manatee sanctuary, the regulation shall state that all waterborne activities are prohibited.

(2) If the area is to be a manatee refuge, the regulation shall state which, if any, waterborne activities are prohibited, and it shall state the applicable restrictions, if any, on permitted waterborne activities.

(b) a description of the area sufficient enough so that its location and dimensions can be readily ascertained without resort to means other than published maps, natural or man-made physical reference points, and posted signs.

(c) The dates of the year during which the designation as a protection area shall be in effect.

##### § 17.104 Prohibitions.

Except pursuant to a permit issued under the provisions of section 17.105 below,

(a) *Manatee sanctuary.* It is unlawful for any person to engage in any waterborne activity within a manatee sanctuary.

(b) *Manatee refuge.* It is unlawful for any person within a particular manatee refuge to engage in any waterborne activity which has been specifically prohibited within that refuge, or to engage in any waterborne activity in a manner contrary to that permitted by regulation within that area.

(c) *State law.* It is unlawful for any person to engage in any waterborne activity prohibited by, or to engage in any waterborne activity in a manner contrary to that permitted by, any State law or regulation the primary purpose of which is the protection of manatees.



(d) *Exceptions.* Any waterborne activity otherwise prohibited by this section may be engaged in if doing so is reasonably necessary to prevent the loss of life due to weather conditions or other reasonably unforeseen circumstances.

§ 17.105 Permits.

The Director may issue permits allowing the permittee to engage in any activity otherwise prohibited by this subpart. Such permits shall be issued in accordance with the provisions of section 17.22 of this Part 17.

§ 17.106 Emergency establishment of protection areas.

(a) The Director may establish manatee protection area under the provisions of subsections (b) and (c) below at any time he determines there is substantial evidence that there is imminent danger of a taking of one or more manatees, and that such establishment is necessary to prevent such a taking.

(b) The establishment of a manatee protection area under this section shall become effective immediately upon completion of the following requirements:

(1) Publication of a notice containing the information required by § 17.103 above in a newspaper of gener-

al circulation in each county, if any, in which the protection area lies; and

(2) Posting of the protection area with signs clearly marking its boundaries.

(c) Simultaneously with the publication required by subsection (b) above, the Director shall publish the same notice in the FEDERAL REGISTER. If simultaneous publication is impractical, because of the time involved or the nature of a particular emergency situation, failure to publish notice in the FEDERAL REGISTER simultaneously shall not delay the effective part of the emergency establishment. In such a case, notice shall be published in the FEDERAL REGISTER as soon as possible.

(d) No emergency establishment of a protection area shall be effective for more than 120 days. Termination of an emergency establishment of a protection area shall be accomplished by publishing notice of the termination in the FEDERAL REGISTER and in a newspaper of general circulation in each county, if any, in which the protection area lies.

§ 17.107 List of designated manatee protection areas [Reserved]

Dated: January 17, 1979.

LYNN A. GREENWALT,  
*Director,*  
*Fish and Wildlife Service.*

[FR Doc. 79-2296 Filed 1-22-79; 8:45 am]



# notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

[3410-05-M]

## DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 5]

### SALES OF CERTAIN COMMODITIES

Monthly Sales List (Period June 1, 1978  
Through May 31, 1979); Butter

The CCC Monthly Sales List for the period June 1, 1978 through May 31, 1979, published at FR 29819 (July 11, 1978), as amended at 43 FR 35737 (August 11, 1978), at 43 FR 46354 (October 6, 1978), at 43 FR 51693 (November 6, 1978) and at 43 FR 58396 (December 14, 1978) is further amended as follows:

1. Section 28 entitled "Butter—Unrestricted Use Sales (Instore-Carlot Quantities)" is revised to read as follows:

1. U.S. Grade A or higher: Market price, but not less than 11.25 cents per pound over CCC's purchase price at each location is 60 to 68 pound blocks. Sales are made under Announcement PV-DS-2.

2. U.S. Grade B: Market price, but not less than 9.25 cents per pound over CCC's purchase price for U.S. Grade A butter at each location in 60 to 68 pound blocks. Sales are made under Announcement PV-DS-2.

2. The last sentence of section 1(b) entitled "General" is revised to read as follows: Interest at 14 percent will be charged for delinquent payments on all sales.

(Sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); sec. 407, 63 Stat. 1055, as amended (7 U.S.C. 1427))

Effective date: November 30, 1978  
2:30 P.M. (EST).

Signed at Washington, D.C. on January 15, 1979.

STEWART N. SMITH,  
*Acting Executive Vice President,  
Commodity Credit Corporation.*  
[FR Doc. 79-2277 Filed 1-22-79; 8:45 am]

[3410-05-M]

[Amdt. 6]

### SALES OF CERTAIN COMMODITIES

Monthly Sales List (Period June 1, 1978  
Through May 31, 1979); Peanuts

The CCC Monthly Sales List for the period June 1, 1978 through May 31, 1979, published at FR 29819 (July 11, 1978), as amended at 43 FR 35737 (August 11, 1978), at 43 FR 46354 (October 6, 1978), at 43 FR 51693 (November 6, 1978), at 43 FR 58396 (December 14, 1978), is further amended as follows:

Section 32 entitled "peanuts farmers stock (additional) crushing or export—oil unrestricted—Segregation 1 lots—FOB origin", is amended to add the following as a second paragraph under paragraph (1):

Carrying charges will accumulate at the rate of \$1.20 per ton per week or fraction thereof, Farmers Stock basis, from the first Monday following the date of sale and will extend through the date of delivery of the peanuts to the purchaser.

(Sec. 4, 62 Stat. 1070, as amended (15 U.S.C. 714b); sec. 407, 63 Stat. 1055, as amended (7 U.S.C. 1427))

Effective date: December 29, 1978,  
2:30 p.m. (Est.).

Signed at Washington, D.C. on January 15, 1979.

STEWART N. SMITH,

*Acting Executive Vice President,  
Commodity Credit Corporation.*  
[FR Doc. 79-2278 Filed 1-22-79; 8:45 am]

[3410-11-M]

### Forest Service

SUPERIOR NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLAN, COOK, LAKE AND ST. LOUIS COUNTIES, MINNESOTA

#### Intent To Prepare an Environmental Statement

The Superior National Forest (Forest Service, Department of Agriculture) will prepare an Environmental Statement for its Land and Resource Management Plan, pursuant to Section 102(2)(c) of the National Environmental Policy Act, Agriculture Department Policy as expressed in pro-

posed CFR 36:219, and Forest Service Manual Section 1952.22a.

The Superior National Forest, located in northeastern Minnesota, is one of the ten forests in the National Forest System chosen to develop a model Land and Resource Management Plan for the other 144 National Forests across the Country. The planning process is outlined in a work plan developed by the Planning Team.

Several problems have been identified as needing attention in the planning process. These have been scrutinized and amplified in a series of Issues Identification workshops which were held between October 24 and November 8, 1978, in Grand Marais, Virginia, Duluth, and St. Paul, Minnesota. In order to arrive at a specific list of issues to be addressed in the Land and Resource Management Plan, the public has been invited to rank the identified issues in order of importance and submit ranked lists by January 26 to the Forest Supervisor, Superior National Forest, P.O. Box 338, Duluth, Minnesota 55801.

It is anticipated that the project will take approximately 18 months. A Draft Environment Statement (DES) is planned for October 1979, with the Land and Resource Management Plan and Final Environmental Statement being published approximately 6 months later.

Steve Yurich, Regional Forester of the Eastern Region, is the responsible official and Robert O. Rehfeld, Forest Supervisor of the Superior National Forest, is the person in charge of the project.

Comments or questions on this Notice of Intent or the planning process should be addressed to: Forest Supervisor, Superior National Forest, P.O. Box 338, Duluth, Minnesota 55801.

STEVE YURICH,  
*Regional Forester.*

JANUARY 5, 1979.

[FR Doc. 79-2301 Filed 1-22-79; 8:45 am]

[3410-15-M]

Rural Electrification Administration  
BASIN ELECTRIC POWER COOPERATIVE  
Draft Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration



(REA) has prepared a Draft Environmental Impact Statement (DEIS) with inputs from the Department of Energy (DOE) in accordance with Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA) in connection with proposed applications from the Basin Electric Power Cooperative, 1717 East Interstate Avenue, Bismarck, North Dakota, 58501, to finance, construct, and operate transmission facilities to be located in portions of Burke, Divide, Williams, Mountrail and Ward Counties, North Dakota. Under agreement between REA and DOE, REA has served as lead agency for purposes of complying with the NEPA. DOE has adopted the Environmental Impact Statement to satisfy its responsibilities under NEPA.

This statement examines the impacts of 135 miles of 230 kV transmission line to effect an international transmission connection with Canada and to help strengthen the existing transmission system. The proposed line would be constructed from Basin Electric's Logan Substation near Minot (Ward County) to the Montana-Dakota Utilities' substation at Tioga (Williams County) and then to a point in Divide County on the United States-Canadian Border 45 miles due north of Tioga. This project as planned would provide a 100 MW seasonal interchange of power between Basin Electric Power Cooperative and Saskatchewan Power Corporation as well as improve transmission service in the Tioga area.

Additional information may be secured on request, submitted to the Assistant Administrator-Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, or Mr. James M. Brown, Jr., System Reliability and Emergency Response Branch, Economic Regulatory Administration, Department of Energy, Room 4070, Vanguard Building, Washington, D.C. 20461, telephone number: (202) 634-5620.

Comments are particularly invited from State and local agencies which are authorized to develop and enforce environmental standards and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved from which comments have not been requested specifically.

Copies of the REA Draft Environmental Impact Statement have been sent to various Federal, State, and local agencies, as outlined in the Council on Environmental Quality guidelines. The Draft Environmental Impact Statement may be examined during regular business hours at the office of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington,

D.C., Room 1268, or the Department of Energy Public Docket Room B110, 2000 M Street, NW., Washington, D.C., or at the borrower's address indicated above. Copies of the REA DEIS may be obtained upon request to the REA at the above address.

Comments concerning the DEIS should be addressed to the Assistant Administrator-Electric at the address given above. Comments must be received on or before March 26, 1979, to be considered in connection with the proposed action.

Final REA and DOE action with respect to this matter (including any release of funds) will be taken only after REA and DOE have reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 16th day of January 1979.

JOSEPH VELLONE,  
Acting Administrator, Rural  
Electrification Administration.

[FR Doc. 79-2283 Filed 1-22-79; 8:45 am]

#### [6320-01-M]

##### CIVIL AERONAUTICS BOARD

[Docket 337121]

##### TIGER INTERNATIONAL-SEABOARD ACQUISITION CASE

###### Postponement of Prehearing Conference

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the prehearing conference in the above-entitled matter, originally scheduled for January 25, 1979, Hearing Room D (44 FR 2187, January 10, 1979), will now be held on February 1 and 2, 1979, at 9:30 a.m. (local time) in Room 1003, Hearing Room A, 1875 Connecticut Avenue, NW., Washington, D.C., before the undersigned judge.

Dated at Washington, D.C., January 16, 1979.

JOHN J. MATHIAS,  
Administrative Law Judge.

[FR Doc. 79-2320 Filed 1-22-79; 8:45 am]

#### [6335-01-M]

##### COMMISSION ON CIVIL RIGHTS

ILLINOIS, INDIANA, MICHIGAN, MINNESOTA,  
OHIO, WISCONSIN

###### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a press conference of THE Illinois, Indiana, Michigan,

Minnesota, Ohio, Wisconsin Advisory Committees (SACs) of the Commission will convene at 9:30 am and will end at 11:00 am, on February 20, 1979, at the Dirksen Federal Building, 219 South Dearborn, Room 572, Chicago, Illinois 60604.

Persons wishing to attend this press conference should contact the Committee Chairperson, or the Midwestern Regional Office of the Commission, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this conference is to release a report—*Insurance Redlining: Fact, Not Fiction*.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1979.

JOHN I. BINKLEY,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2345 Filed 1-22-79; 8:45 am]

#### [6335-01-M]

##### KANSAS ADVISORY COMMITTEE

###### Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a factfinding meeting of the Kansas Advisory Committee (SAC) of the Commission will convene at 1:00 pm, February 15, 1979 and will end at 5:00 pm, February 16, 1979, at the U.S. Post Office and Courthouse, 401 North Market, Second Floor Conference Room, Wichita, Kansas 67201.

Persons wishing to attend this factfinding meeting should contact the Committee Chairperson, or the Central States Regional Office of the Commission, Old Federal Office Building, Room 3103, 911 Walnut Street, Kansas City, Missouri 64106.

The purpose of this meeting is to conduct an "open meeting" on the Wichita Police Department and the Sedgwick County Sheriff's Department relative to the use of force and their employment practices.

This meeting will be conducted pursuant to the provisions of the rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1979.

JOHN I. BINKLEY,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2346 Filed 1-22-79; 8:45 am]



**[6335-01-M]****MONTANA ADVISORY COMMITTEE****Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a press conference of the Montana Advisory Committee (SAC) of the Commission will convene at 10:00 a.m. and will end at 12:00 noon on February 6, 1979 and will convene again at 7:00 p.m. and will end at 10:00 p.m. on February 7, 1979, at the Federal Building, Room 289, Helena, Montana.

Persons wishing to attend this press conference should contact the Committee Chairperson, or the Rocky Mountain Regional Office of the Commission, Executive Tower, 1405 Curtis Street, Suite 1700, Denver, Colorado 80202.

The purpose of this press conference is to release the Montana Advisory Committee Report on Corrections in the State of Montana.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1979.

JOHN I. BINKLEY,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2347 Filed 1-22-79; 8:45 am]

**[6335-01-M]****PENNSYLVANIA ADVISORY COMMITTEE****Agenda and Notice of Open Meeting**

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Pennsylvania Advisory Committee (SAC) of the Commission will convene at 10:30 a.m. and will end at 5:00 p.m., on February 15, 1979, at the Federal Building, 600 Arch Street, Room 7306, Philadelphia, Pennsylvania 19106.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Mid-Atlantic Regional Office of the Commission, 2120 L Street, N.W., Room 510, Washington DC 20037.

The purpose of this meeting is to discuss the primary program planning agenda items, which include Lewisburg Prison Study, Mushroom workers report—update, school desegregation in Pittsburgh, briefing on upcoming hearings on police practices in Philadelphia, and orientation of new members will precede meeting.

This meeting will be conducted pursuant to the provision of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1979.

JOHN I. BINKLEY,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2348 Filed 1-22-79; 8:45 am]

**[6335-01-M]****VIRGINIA ADVISORY COMMITTEE****Agenda and Notice of Open Meeting**

Notice is hereby given pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Virginia Advisory Committee (SAC) of the Commission will convene at 6:30 p.m. and will end at 9:30 p.m., on February 15, 1979, at City Hall, Fifth Floor, Conference Room, Richmond, Virginia.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Mid-Atlantic Regional Office of the Commission, 2120 L Street, N.W., Room 510, Washington DC 20037.

The purpose of this meeting is to discuss program planning for 1979.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., January 18, 1979.

JOHN I. BINKLEY,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2349 Filed 1-22-79; 8:45 am]

**[3510-13-M]****DEPARTMENT OF COMMERCE****National Bureau of Standards****ROTATING MASS STORAGE SUBSYSTEMS****Proposed Federal Information Processing Standards**

Under the provisions of Public Law 89-306 (79 Stat. 1127; 40 U.S.C. 759(f)) and Executive Order 11717 (38 FR 12315, dated May 11, 1973), the Secretary of Commerce is authorized to establish uniform automatic data processing (ADP) standards. A single standard is proposed for Federal use which encompasses three distinct classes of rotating mass storage subsystems.

This standard for rotating mass storage subsystems will be used with two other proposed standards. The first of these, the I/O Channel Interface, was originally proposed in a notice published in the FEDERAL REGISTER on December 30, 1976 (41 FR 56877), with subsequent revisions in notices published on August 22, 1977 (42 FR 42242) and on June 19, 1978 (43 FR 26341). The second of these standards,

the Channel Level Power Control Interface, was originally proposed in a notice published in the FEDERAL REGISTER on March 4, 1977 (42 FR 12452) with subsequent revisions in notices published in the FEDERAL REGISTER on March 25, 1977 (42 FR 16169) and on June 19, 1978 (43 FR 26341).

The announcement of the two proposed standards for the I/O Channel Interface and the Channel Level Power Control Interface, published in the FEDERAL REGISTER on June 19, 1978 (43 FR 26341) stated: "It is the Government's intent to propose a standard for operational specifications for magnetic disk subsystems within the next 12 months." This proposed standard for rotating mass storage subsystems completes that planned action.

Prior to submission of this proposed standard to the Secretary of Commerce for approval as a Federal Information Processing Standard, it is essential to assure that proper consideration is given to the needs and views of the public, state and local governments, and manufacturers. It is appropriate at this time to solicit such views.

The technical specifications contained in this proposed standard were prepared under the auspices of the American National Standards Institute, Technical Subcommittee X3T9. They consist of four documents. The first of these, ANSI document number X3T9/848, Rev. 2, "Draft Proposed Operational Specification for Rotating Mass Storage Subsystems," defines the overall standard. This document is in turn supplemented by three documents, each of which provides supplemental track format definition and specifies the sense information format and content for three classes of rotating mass storage devices: (1) American National Standards Institute document X3T9/904 Rev. 1, Draft Proposed American National Standard, Class A Rotating Mass Storage Device Specification, (2) American National Standards Institute document X3T9/905 Rev. 1, Draft Proposed American National Standard, Class B Rotating Mass Storage Device Specification, and (3) American National Standards Institute document X3T9/906 Rev. 1, Draft Proposed American National Standard, Class C Rotating Mass Storage Device Specification.

The proposed Federal Information Processing Standard contains two basic sections: (1) An announcement section which provides information concerning the applicability and implementation of the standard, and (2) a specification section which defines the technical parameters of the standard. Only the announcement section is provided in this notice.

Interested parties may obtain a copy of the specification section of this



standard from the Director, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234.

Written comments on this proposed standard should be submitted to the Director, Institute for Computer Sciences and Technology at the above address. Comments to be considered must be received on or before March 30, 1979.

Dated: January 17, 1979.

ERNEST AMBLER,  
Director.

FEDERAL INFORMATION PROCESSING  
STANDARDS PUBLICATION

Date \_\_\_\_\_

ANNOUNCING THE STANDARD FOR OPERATIONAL  
SPECIFICATIONS FOR ROTATING MASS STORAGE  
SUBSYSTEMS

Federal Information Processing Standards Publications are issued by the National Bureau of Standards pursuant to the Federal Property and Administrative Services Act of 1949, as amended, Public Law 89-306 (79 Stat. 1127), Executive Order 11717 (38 FR 12315, dated May 11, 1973) and Part 6 of Title 15 Code of Federal Regulations (CFR).

**Name of Standard.** Operational Specifications for Rotating Mass Storage Subsystems (FIPS PUB \_\_\_\_\_).

**Category of Standard.** Interface.

**Explanation.** This standard defines the peripheral device dependent operational interface specifications for connecting rotating mass storage equipment as a part of automatic data processing (ADP) systems. It is to be used together with FIPS PUB \_\_\_\_\_, I/O Channel Interface and FIPS PUB \_\_\_\_\_, Channel Level Power Control Interface. This standard, together with these two referenced standards, provides for full plug-to-plug interchangeability of rotating mass storage equipment as a part of ADP systems.

The Government's intent in employing this standard for Operational Specifications for Rotating Mass Storage Subsystems is to reduce the cost of satisfying its data processing requirements through increasing its available alternative sources of supply for computer system components at the time of initial system acquisition, as well as in system replacement augmentation and in system component replacement. This standard is also expected to lead to improved reutilization of system components.

When acquiring ADP systems and system components, Federal agencies shall cite this standard in specifying the interface for connecting rotating mass storage peripheral equipment as a part of ADP systems.

**Approving Authority.** Secretary of Commerce.

**Maintenance Agency.** Department of Commerce, National Bureau of Standards (Institute for Computer Sciences and Technology).

**Cross Index.** American National Standards Institute document X3T9/848, Rev. 2, Draft Proposed Operational Specifications for Rotating Mass Storage Subsystems. This operational specification is in turn supplemented by three draft proposed American National Standards, each of which provides supplemental track format definition and specifies the sense information format and

content for a particular class of rotating mass storage devices: (1) American National Standards Institute document X3T9/904 Rev. 1, Draft Proposed American National Standard Class A Rotating Mass Storage Device Specification, (2) American National Standards Institute document X3T9/905 Rev. 1, Draft Proposed American National Standard Class B Rotating Mass Storage Device Specification, and (3) American National Standards Institute document X3T9/906 Rev. 1, Draft Proposed American National Standard Class C Rotating Mass Storage Device Specification.

**Applicability.** This standard is applicable to the acquisition of all rotating mass storage equipment whenever the use of Federal Information Processing Standard I/O Channel Interface (NBS-FIPS-PUB \_\_\_\_\_) is required.

Verification of the correct operation of all interfaces that are required to conform to this standard shall, through demonstration or other means acceptable to the Government, be provided prior to the acceptance of all applicable ADP equipment.

**Specifications.** This standard incorporates by reference the technical specifications of ANSI documents X3T9/848 Rev. 2, X3T9/904 Rev. 1, X3T9/905 Rev. 1, and X3T9/906 Rev. 1. Either paper or microfiche copies of this Federal Information Processing Standard, including the technical specifications, may be purchased from the National Technical Information Service (NTIS) by ordering Federal Information Processing Standard Publication (NBS-FIPS-PUB \_\_\_\_\_), Operational Specifications for Rotating Mass Storage Subsystems. Ordering information, including prices and delivery alternatives, may be obtained by contacting the National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, Virginia 22161, Telephone: (703) 557-4630.

**Implementation.** The provisions of this standard are effective on May 23, 1979. All applicable equipment ordered on or after the effective date, or procurement actions for which solicitation documents have not been issued by that date, must conform to the provisions of this standard unless a waiver has been granted in accordance with the procedure described elsewhere in this publication.

Regulations concerning the specific use of this standard in Federal procurement will be issued by the General Services Administration to be a part of the Federal Property Management Regulations.

This standard shall be reviewed by NBS within three years after its effective date, taking into account technological trends and other factors, to determine whether the standard should be affirmed, revised, or withdrawn.

**Waivers.** Heads of agencies desiring a waiver from the requirements stated in this publication, so as to acquire ADP equipment that does not conform to this standard, shall submit a request for such a waiver to the Secretary of Commerce for review and approval. Approval will be granted if, in the judgment of the Secretary based on all available information, including that provided in the waiver request, a major adverse economic or operational impact would occur through conformance with this standard.

Requests for waivers shall include: (1) A description of the existing or planned ADP system for which the waiver is being requested, (2) a description of the system con-

figuration, identifying those items for which the waiver is being requested, and including a description of planned expansion of the system configuration at any time during its life cycle, and (3) a justification for the waiver, including a description and discussion of the major adverse economic or operational impact that would result through conformance to this standard as compared to the alternative for which the waiver is requested.

The request for waiver shall be submitted to the Secretary of Commerce, Washington, D.C. 20230, and labeled as a Request for Waiver to a Federal Information Processing Standard. Waiver requests will normally be processed within 45 days of receipt by the Secretary. No action shall be taken to issue solicitation documents or to order equipment for which this standard is applicable and which does not conform to this standard prior to receipt of a waiver approval response from the Secretary.

[FR Doc. 79-2275 Filed 1-22-79; 8:45 am]

[3510-22-M]

National Oceanic and Atmospheric  
Administration

WESTERN PACIFIC FISHERY MANAGEMENT  
COUNCIL, SPINY LOBSTER AND BOTTOM-  
FISH ADVISORY SUBPANEL

Public Meetings

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Western Pacific Fishery Management Council's Spiny Lobster Advisory Subpanel and Bottomfish Advisory Subpanel will conduct public meetings to discuss progress on fishery management plans in the Council's area of concern.

DATE: February 5, 1979.

ADDRESS: The meetings will take place at the Southwest Fisheries Center, Honolulu Laboratory, 2570 Dole Street, Honolulu, Hawaii.

FOR FURTHER INFORMATION CONTACT:

Ms. Kitty Simonds, Executive Secretary, Western Pacific Fishery Management Council, 1164 Bishop Street, Honolulu, Hawaii 96813, Telephone: (808) 523-1368.

**SUPPLEMENTARY INFORMATION:** The Western Pacific Fishery Management Council was established by the Fishery Conservation and Management Act of 1976 (Public Law 94-265), and the Council has established Advisory Subpanels for Spiny Lobster and Bottomfish to assist the Council in carrying out its responsibilities. These Subpanels will meet to discuss progress in development of fishery management plans for the spiny lobster fishery of the Northwest Hawaiian Islands and for the bottomfish fishery.



The Bottomfish Advisory Subpanel meeting will convene on Monday, February 5, 1979, at 8:30 a.m. and adjourn at approximately 1:30 p.m. to discuss the bottomfish management plan. The Spiny Lobster Advisory Subpanel meeting will convene on Monday, February 5, 1979, at 1:30 p.m. and adjourn at approximately 5:30 p.m. to discuss the spiny lobster management plan. Both meetings are open to the public.

Dated: January 18, 1979.

WINFRED H. MEIBOHM,  
Acting Executive Director,  
National Marine Fisheries Service.  
[FR Doc. 79-2319 Filed 1-22-79; 8:45 am]

[6351-01-M]

## COMMODITY FUTURES TRADING COMMISSION

### SEMIANNUAL AGENDA OF REGULATIONS

AGENCY: Commodity Futures Trading Commission.

ACTION: Publication of Commission agenda.

SUMMARY: The Commodity Futures Trading Commission is providing public notice of the approved Commission calendar for the second quarter of fiscal year 1979. Major rulemaking activities which the Commission currently anticipates have also been included in this notice. In an attempt to broaden public participation in the Commission's rulemaking process, supplementary information is included on the major rulemaking efforts planned for fiscal year 1979.

### FOR FURTHER INFORMATION CONTACT:

Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street N.W., Washington, D.C. 20581.

### SUPPLEMENTARY INFORMATION:

#### MAJOR REGULATORY INITIATIVES

##### 1. LEVERAGE TRANSACTIONS POLICY

Need/Objective: The Commission has taken action on its previous proposal to adopt a rule establishing a temporary moratorium on the entry of new firms into the business of offering and selling standardized contracts commonly known as leverage contracts after June 1, 1978. In addition the Commission plans to meet the requirements of new Section 19 of the Commodity Exchange Act, by determining whether or not trading leverage contracts in certain commodities should be permitted and, if so, under what conditions.

Legislative Authority: Section 19 of the Commodity Exchange Act, as amended, by the Futures Trading Act

of 1978, Pub. L. No. 95-405, section 23, 92 Stat. 876-77.

Agency Contact: David Merrill, Office of General Counsel, 2033 K Street, N.W., Washington, D.C. 20581, 202-254-5387.

Outstanding F.R. Notices. Proposed Rule, 43 F.R. 23729; June 1, 1978, MORATORIUM ON THE OFFER AND SALE OF LEVERAGE CONTRACTS; Offering and Selling Standardized Contracts; Final Rule, 43 FR 56885; December 5, 1978, TEMPORARY MORATORIUM REGARDING GOLD AND SILVER LEVERAGE TRANSACTIONS.

##### 2. TITLE III/STANDARDS FOR SELF REGULATORY ASSOCIATIONS

Need/Objective: With the objective of strengthening self-regulatory efforts within the futures industry, the CFTC has proposed standards to be applied in determining whether to register any applicant futures association(s) under Section 17 of the Commodity Exchange Act.

Legislative Authority: Section 17 of the Commodity Exchange Act, 7 U.S.C. 21 (1976).

Agency Contact: Mark D. Young, Office of General Counsel, 2033 K Street, N.W., Washington, D.C. 20581, 202-254-5716.

Outstanding FR Notice. Proposed Rulemaking, 43 FR 46039; October 5, 1978, REGISTERED FUTURES ASSOCIATIONS; Proposed Standards Governing Commission Review of Applications for Registration As a Futures Association, Form of Registration Statement.

##### 3. FOREIGN TRADER POLICY/REPORTING REQUIREMENTS

Need/Objective: The Commission's objective in developing a foreign trader policy is to insure that parity of treatment is provided for both foreign and domestic market participants. Further consideration will be given to the issues of foreign government participation, foreign omnibus accounts, the publication of data on foreign participation in U.S. markets, and requiring foreign traders to designate U.S. agents for filing information and service of process.

Legislative Authority: Sections 4g(1), 4g(3), 4g(4), 4i, and 8a(5) of the Commodity Exchange Act, 7 U.S.C. 6g(1), 6g(3), 6g(4), 6i and 12a(5) (1976).

Agency Contact: Lamont L. Reese, Economics and Education, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581 202-254-7446.

Outstanding FR Notice. Proposed Revision of Forms and Proposed Rulemaking, 42 FR 62147 (December 9, 1977), GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT; REPORTS BY FU-

TURES COMMISSION MERCHANTS AND FOREIGN BROKERS; REPORTS BY TRADERS; Proposed Revision of Forms.

##### 4. SPREAD TRADING

Need/Objective: The Commission's objective is to assess the practice of spread trading as well as the procedures under which it takes place to determine whether or not comprehensive regulations are required to insure the integrity and competitiveness of the market place.

Legislative Authority: Sections 4c(a) and 8a(5) of the Commodity Exchange Act, 7 U.S.C. 6c(a) and 12a(5) (1976).

Agency contact: Patricia Gillman, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, 202-254-5200.

Outstanding FR Notice. Advance Notice of Proposed Rulemaking, 43 FR 32092 (July 24, 1978); SPREAD TRADING.

##### 5. COMMODITY OPTIONS PILOT PROGRAM

Need/Objective: The Commission plans to adopt regulations to test, within the context of a limited, rigidly controlled pilot program, the economic benefits provided by commodity option trading and to determine whether or not adequate customer protection can be provided. Several program issues, including criteria for selecting commodities, must be resolved before final regulations are adopted.

Legislative Authority: Sections 2(a)(1), 4c(b) and 8a(5) of the Act, 7 U.S.C. 2, 9, 6c(b) and 12a(5) (1976), as amended by Pub. L. 95-405, section 3, 92 Stat. 867-869 (September 30, 1978).

Agency Contact: Frank Moore, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, 202-632-5110.

Outstanding FR Notice. Proposed Rule Change, 42 FR 55538 (October 17, 1977), GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT; Regulation of Commodity Option Transactions.

##### 6. DEALER OPTIONS

Need/Objective: Congress has directed the Commission to issue regulations permitting grantors and futures commission merchants to grant, offer and sell options on physical commodities subject to certain conditions specified by statute and such other uniform and reasonable requirements as the Commission may prescribe.

Legislative Authority: Sections 2(a)(1), 4c and 8a(5) of the Act, 7 U.S.C. 2, 6c and 12a(5) (1976), as amended by Pub. L. 95-405, section 3, 92 Stat. 867-869 (September 30, 1978).



Agency Contact: Mark Rae, Office of General Counsel, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, 202-254-7285.

Outstanding FR Notice. Proposed Reissuance of and Amendments to Commodity Option Regulations, 43 FR 59396 (December 20, 1978).

# COMMODITY FUTURES TRADING COMMISSION CALENDAR

The following calendar represents the current projection of anticipated Commission discussion of specified topics. The final Commission agenda will continue to be published weekly in the FEDERAL REGISTER.

## JANUARY CALENDAR

Tuesday, January 16.....	S & A.....	Proposed FY 1979 Schedule of Contract Review Calls (Regulation 1.50).
Tuesday, January 23.....	OGC.....	Prohibition of Leverage Contracts on Commodities Other Than Gold, Silver bullion and Bulk Coins—Proposed FEDERAL REGISTER Notice.
Tuesday, January 30.....	OCE.....	CFTC Foreign Trader Policy Discussion: Parity of treatment for foreign and domestic market participants. Foreign government participation in domestic futures markets. Proposed reporting requirements for foreign traders. Foreign omnibus accounts. Designation of U.S. Agents of foreign participants for the purpose of filing information and service of process.
	OGC.....	Title III: Review of public comments. Policy discussion.
	OCE.....	Uniform Reporting of Daily Futures Prices (Part 16).

## FEBRUARY CALENDAR

Tuesday, February 6.....	OPR.....	Update of Long-Term Planning Projections and Priorities.
	T & M.....	Commodity Option Pilot Program: Proposed CFTC Management Plan.
Tuesday, February 13.....	T & M.....	Spread Trading Policy Discussion: Review of public comments.
	T & M.....	Regulation 1.31—Availability of FCM and Exchange Books and Records.
	OED.....	First Quarterly Review.
	OGC.....	Procedures for Expedited Adjudicatory Proceedings.
Wednesday, February 21.....	T & M.....	Proposed Revision of Registration Program and review of refunding fees policy.
Tuesday, February 27.....	OCE.....	Aggregation Policy Discussion

## MARCH CALENDAR

Tuesday, March 6.....	OCE.....	CME—4 Year Notes.
Tuesday, March 13.....		Open.
Tuesday, March 20.....	T & M.....	Review and Discussion of CFTC Rule Enforcement Review Program.
	OGC.....	Advisory Committee Report on State Jurisdiction.
Tuesday, March 27.....		Open.

The following issues are regulatory matters scheduled for discussion during the third and fourth quarters of FY 79. More complete calendars will be published prior to April and July 1979. They will include follow-up discussions on many of the topics scheduled for first and second quarter consideration as well as discussions on several internal organizational and administrative matters.

## DRAFT CALENDAR, THIRD QUARTER—FISCAL YEAR 1979, APRIL-JUNE

OCE.....	Research Program: Priorities and Projects.
T & M.....	Report on Timetable for Review of exchange Rules and Implementation by Exchanges of Disciplinary Rules and Financial Rules.
T & M.....	Proposed Regulations Relating to Associated Person Registration Program.
OED.....	Second Quarterly Review.
OCE.....	Review of CFTC and Exchange Surveillance Programs: Cash market studies. Improved quantitative techniques for market surveillance.

## DRAFT CALENDAR, FOURTH QUARTER—FISCAL YEAR 1979, JULY-SEPTEMBER

OCE.....	Study of Dual Trading and Market Liquidity.
OCE.....	Research Reports: Market survey of participation; studies on market functions and performance.
T & M.....	Evaluation and Assessment of Customer Protection Rules.
OED.....	Third Quarterly Review.
OED.....	Development and Review of Fiscal Year 1981 Budget and Plan.

Issued in Washington, D.C. on January 18, 1979 by the Commission.

GARY L. SEEVERS,  
Acting Chairman,

Commodity Futures Trading Commission.

[FR Doc. 79-2260 Filed 1-22-79; 8:45 am]



[3910-01-M]

**DEPARTMENT OF DEFENSE**

Department of the Air Force

**M-X: MILESTONE II****Supplement to Final Environmental Impact Statement**

This notice expands on the January 8, 1979, FEDERAL REGISTER notice announcing the Department of the Air Force's intent to supplement the Final Environmental Impact Statement (EIS), "M-X Milestone II," published on October 6, 1978. This supplement will be an analysis of an air mobile alternative. This notice, a description of proposed actions and alternatives, provides advance information to the public; to federal, state and local agencies and to interested groups on the supplement now in preparation.

Volume IV of the "M-X: Milestone II" Final EIS included two air mobile options which were found to be less suitable than other candidate basing modes for a mobile intercontinental ballistic missile (ICBM) system. Subsequently, a reanalysis of data and new studies indicated that additional consideration should be given to other air mobile options. This has resulted in a delay in the decision on the most suitable basing mode. The planned supplement will add environmental impact information regarding the air mobile alternative to that described in the FEIS for the buried trench, vertical and horizontal shelter and pool alternatives.

The proposed action evaluated in the final EIS and the planned supplement will lead to a full scale engineering development (FSED) decision. FSED includes fabrication of a number of prototype (test) missiles, and the testing of the missiles and basing concepts. FSED does not include selection of deployment areas or bases for the operational missile system nor does it include production of operational missiles, missile carriers or other basing components.

Study of mobile missile concepts is the result of intelligence estimates which show that the present land-based ICBM force is becoming more

vulnerable to attack. The introduction of mobility is the means proposed to improve the survivability of the ICBM force. The M-X Milestone II Final EIS described several ground-based, mobile systems which, together with a new missile, offer greater survivability than present ICBM systems. These were called multiple aiming point (MAP) systems and are now known as multiple protective structure (MPS) systems. A description of the air mobile alternative contained in the planned supplement to the Final EIS will be added to the MPS alternatives so that decisionmakers will have a broader choice at the planned late March 1979 date for selection of the preferred basing mode(s).

The air mobile alternative as now envisioned consists of a transport aircraft, a missile similar to those described in the Final EIS and a structure of air bases. The missile could be launched from the aircraft in flight. Three levels of bases might be used. Main operating bases from which the transport/missile force would be logistically supported; perhaps several times as many alert bases, to which two or four aircraft with missiles, crews and minimum support personnel would be rotated from the main operating bases; and possible existing airfields or other locations to which the alert base aircraft would be randomly sent in the event of an actual or expected missile attack on the United States. Other options within this alternative may be studied. The Air Force intends to make maximum use of existing bases and airfields in this concept.

The draft of the supplement to the M-X Milestone II Final EIS will be published and filed with the EPA about mid-February 1979. The public comment period will extend 25 days from the date of the filing. The final supplement to the Final EIS will be filed with the EPA about two weeks after close of the comment period. It will contain the substantive public comments and the Air Force's responses to them. The supplement does not constitute an EIS for the purpose of siting or deployment of M-X. Any comments or questions should be directed to the Deputy for Environment

and Safety, Office of the Secretary of the Air Force, Room 4C-885, the Pentagon, Washington, DC. 20330. Telephone: 202/697-9297.

Dated: January 18, 1979.

CAROL M. ROSE,  
Air Force Federal Register  
Liaison Officer.

[FR Doc. 79-2305 Filed 1-22-79; 8:45 am]

[6560-01-M]

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL 1043-61]

**AIR QUALITY CRITERIA DOCUMENT FOR OXIDES OF NITROGEN****Extension of Comment Period**

The U.S. Environmental Protection Agency will extend the comment period for external review of the Air Quality Criteria Document for Oxides of Nitrogen (43 FR 58117-58118, December 12, 1978) from February 1, 1979, to February 28, 1979.

Direct comments to Mr. Michael A. Berry, Environmental Criteria and Assessment Office, MD-52, U.S. Environmental Protection Agency, Research Triangle Park, N.C. 27711.

STEPHEN J. GAGE,  
Assistant Administrator  
for Research and Development.  
[FR Doc. 79-2334 Filed 1-22-79; 8:45 am]

[1505-01-M]

**FEDERAL COMMUNICATIONS COMMISSION****MEXICAN STANDARD BROADCAST STATIONS****Notification List****Correction**

In FR Doc. 78-34550, appearing at page 58228 in the issue of Wednesday, December 13, 1978, the last entry under the heading "Power kilowatts" in the table on page 58228 now reading "1.000D/.00N" should have read, "1.000D/.100N".



[6210-01-M]

**FEDERAL RESERVE SYSTEM****AMERICAN STATE FINANCIAL CORP.****Acquisition of Bank**

American State Financial Corporation, Lubbock, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors' qualifying shares) of Liberty State Bank, Lubbock, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than February 9, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, January 17, 1979.

GRIFFITH L. GARWOOD,  
*Deputy Secretary of the Board.*

[FR Doc. 79-2264 Filed 1-22-79; 8:45 am]

[6210-01-M]

**BANCONAC SHARES, INC.****Acquisition of Bank**

Banconac Shares, Inc., Hollywood, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 99.1 per cent or more of the voting shares of The Bank of Dania, Dania, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than February 8, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, January 17, 1979.

GRIFFITH L. GARWOOD,  
*Deputy Secretary of the Board.*

[FR Doc. 79-2265 Filed 1-22-79; 8:45 am]

[6210-01-M]

**THIRD NATIONAL CORP.****Proposed Acquisition of Third National Life Insurance Co.**

Third National Corporation, Nashville, Tennessee, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire voting shares of Third National Life Insurance Company, Phoenix, Arizona. Notice of the application was published on December 14, 1978 in *The Arizona Republic*, a newspaper circulated in the County of Maricopa, Arizona, and on December 2, 1978 in *The Nashville Banner*, a newspaper circulated in Nashville, Tennessee.

Applicant states that the proposed subsidiary would engage in the activities of underwriting, as reinsurer, credit life and credit accident and health insurance which is directly related to extensions of credit by Third National Bank and Friendly Finance, Inc., both subsidiaries of applicant. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 16, 1979.

Board of Governors of the Federal Reserve System, January 16, 1979.

GRIFFITH L. GARWOOD,  
*Deputy Secretary of the Board.*

[FR Doc. 79-2267 Filed 1-22-79; 8:45 am]

[6210-01-M]

**NORTHWESTERN FINANCIAL CORP.****Proposed Retention of First Atlantic Corp.**

Northwestern Financial Corporation, North Wilkesboro, North Carolina, has applied, pursuant to Section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to retain voting shares of First Atlantic Corporation, Charlotte, North Carolina. Notice of the application was published in newspapers of general circulation in each of the communities served by the offices of First Atlantic Corporation.

Applicant states that the proposed subsidiary engages in the activities of originating, acquiring, selling and servicing loans secured by mortgages, including construction, development and permanent loans on residential and commercial properties and acting as agent in the sale of credit life and credit accident and health insurance and property and casualty insurance sold in connection with its lending activities. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Richmond.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 16, 1979.



Board of Governors of the Federal Reserve System, January 16, 1979.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc. 79-2266 Filed 1-22-79; 8:45 am]

#### [6210-01-M]

##### WHITEWATER BANCORP., INC.

##### Formation of Bank Holding Co.

Whitewater Bancorp., Inc., Whitewater, Wisconsin, has applied for the Board's approval under Section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 83.9 percent or more of the voting shares of First Citizens State Bank of Whitewater, Whitewater, Wisconsin. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than February 6, 1979. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, January 16, 1979.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc. 79-2268 Filed 1-22-79; 8:45 am]

#### [1610-01-M]

##### GENERAL ACCOUNTING OFFICE

##### REGULATORY REPORTS REVIEW

##### Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on January 16, 1979. See 44 U.S.C. 3512(c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FCC and ICC requests are invited from all interested persons, organiza-

tions, public interest groups, and affected business. Because of the limited amount of time GAO has to review the proposed requests, comments (in triplicate) must be received on or before February 12, 1979, and should be addressed to Mr. John M. Lovelady, Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5106, 441 G Street, NW, Washington, DC 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-275-3532.

##### FEDERAL COMMUNICATIONS COMMISSION

The FCC requests clearance of revisions to Form 701, Application for Additional Time to Construct Radio Station. The FCC is revising Form 701 to include Form 321, Application for Construction Permit to Replace Expired Permit. The revised Form 701 will be titled "Application for Extension of Construction Permit or to Replace Expired Construction Permit" and will be used by broadcaster's to apply for an extension of time in which to construct a station or to apply for a construction permit to replace an expired permit. Form 701 is required by Section 1.534 of the Commission's Rules. The FCC estimates there are approximately 550 applications filed annually and that respondent burden averages 2 hours and 55 minutes per application.

##### INTERSTATE COMMERCE COMMISSION

The ICC requests an extension without change of Form OP-F-240, Issuance of Securities or Assumption of Obligations, pursuant to the provisions of 4 CFR Part 10. Form OP-F-240 is a special report required to be filed by carriers issuing securities on Commission approval, which shows the disposition made of such securities and the application of the proceeds thereof. Reports are required by Section 11301(e), formerly Section 20a(10) of the Interstate Commerce Act. There has been no revision in form content since the previous clearance. The only change proposed is that which refers to the newly codified section of the Act.

The ICC estimates respondents number approximately 550 and that reporting burden averages 5 hours per report.

NORMAN F. HEYL,  
Regulatory Reports  
Review Officer.

[FR Doc. 79-2315 Filed 1-22-79; 8:45 am]

#### [4110-88-M]

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Alcohol, Drug Abuse, and Mental Health Administration

##### ADVISORY COMMITTEES

##### Committee Extensions

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (5 U.S.C. Appendix I), the Alcohol, Drug Abuse, and Mental Health Administration announces the continuance by the Secretary of Health, Education, and Welfare, with the concurrence of the General Services Administration Committee Management Secretariat, of the following public advisory committees until March 1, 1979:

Alcohol Research Review Committee  
Alcohol Training Review Committee  
Biological Sciences Training Review Committee  
Clinical Program—Projects Research Review Committee  
Clinical Projects Research Review Committee  
Clinical Psychopharmacology Research Review Committee  
Community Alcoholism Services Review Committee  
Continuing Education Review Committee  
Crime and Delinquency Review Committee  
Developmental Problems Research Review Committee  
Drug Abuse Research Review Committee  
Drug Abuse Training Review Committee  
Epidemiologic Studies Review Committee  
Experimental and Special Training Review Committee  
Experimental Psychology Research Review Committee  
Mental Health Services Research Review Committee  
Mental Health Small Grant Committee  
Metropolitan Mental Health Problems Review Committee  
Minority Group Mental Health Programs Review Committee  
Neuropsychology Research Review Committee  
Paraprofessional Manpower Development Review Committee  
Personality and Cognition Research Review Committee  
Preclinical Psychopharmacology Research Review Committee  
Psychiatry Education Review Committee  
Psychiatric Nursing Education Review Committee  
Psychological Sciences Fellowship Review Committee  
Psychology Education Review Committee  
Research Scientist Development Review Committee  
Social Problems Research Review Committee  
Social Sciences Research Review Committee  
Social Sciences Training Review Committee  
Social Work Education Review Committee



Dated: January 17, 1979.

DAVID F. KEFAUVER,  
Acting Deputy Administrator,  
Alcohol, Drug Abuse, and  
Mental Health Administration.

[FR Doc. 79-2269 Filed 1-22-79; 8:45 am]

#### [4110-03-M]

##### Food and Drug Administration

##### CONSUMER PARTICIPATION

##### Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This document announces a forthcoming Consumer Exchange Meeting to be chaired by the Commissioner of Food and Drugs.

DATE: The meeting will be held at 1:30 p.m., Wednesday, January 31, 1979.

ADDRESS: The meeting will be held at the HEW North Building, Room 5051, 330 Independence Avenue SW., Washington, DC 20201.

##### FOR FURTHER INFORMATION CONTACT:

Alexander Grant, Special Assistant to the Commissioner for Consumer Affairs (HF-7), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1547.

##### SUPPLEMENTARY INFORMATION:

The purpose of the meeting is to exchange information between Food and Drug Administration (FDA) officials and consumer representatives, by providing an opportunity for consumer representatives to present their views directly to the Commissioner and to top managers of FDA, by seeking solutions to any problems agreed on during this exchange, and by giving the agency an opportunity to discuss and communicate vital health and policy issues to the concerned public.

Dated January 17, 1979.

JOSEPH P. HILE,  
Associate Commissioner for  
Regulatory Affairs.

[FR Doc. 79-2263 Filed 1-22-79; 8:45 am]

#### [4110-02-M]

##### Office of Education

##### NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

##### Meeting

Notice is hereby given, pursuant to PL 92-463, that the next meeting of the National Advisory Council on the

Education of Disadvantaged Children will be held on Friday and Saturday, February 23 and 24, 1979. On Friday, the meeting will convene at 9 a.m. and recess at 5 p.m., and on Saturday, the meeting will reconvene at 9 a.m. and adjourn at 12 noon. The two-day meeting will be held at 425 Thirteenth Street, N.W., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under Section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The meeting is being held in order for members to discuss and review: final drafts of special reports and the draft annual report; annual report section prepared by Council consultant; and, upcoming Council activities.

The entire meeting will be open to the public. Because of limited space, all persons wishing to attend should call for reservations by February 20, 1979, area code 202/724-0114.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children located at 425-13th Street, N.W., Suite 1012, Washington, D.C., 20004.

Signed at Washington, D.C. on January 17, 1979.

ROBERTA LOVEHEIM,  
Executive Director.

[FR Doc. 79-2289 Filed 1-22-79; 8:45 am]

#### [4110-02-M]

##### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

##### Office of Education

##### INDIAN EDUCATION

##### Acceptance of Nominations for Membership on the National Advisory Council on Indian Education; Closing Date

1. *Introduction.* In accordance with 20 U.S.C. 1221g, "National Advisory Council on Indian Education", notice is hereby given that nominations of Indians, as defined below, will be accepted by the Commissioner of Education from Indian tribes and organizations in order to make to the President of the United States recommendations of individuals for membership on the National Advisory Council on Indian Education. The Council consists of fifteen (15) members appointed by the President from lists of nominees furnished, from time to time, by Indian tribes and organizations, and who

must represent diverse geographic areas of the country.

(Pub. L. 92-318, section 442(a), 20 U.S.C. 1221g(a))

Nominations submitted to the Commissioner of Education by Indian tribes and organizations must be received no later than March 5, 1979. Nominations are being requested in order to make recommendations for five (5) membership positions, which will begin on September 30, 1979. Each Presidential appointment will be for a term of three years ending September 29, 1982.

(20 U.S.C. 1233b(a)(1))

2. *Definition.* "Indian" means any individual who (a) is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940 and those recognized by the State in which they reside, or who is a descendant, in the first or second degree, of any such member, or (b) is considered by the Secretary of the Interior to be an Indian for any purpose, or (c) is an Eskimo or Aleut or other Alaska Native.

(Pub. L. 92-318, section 453(a), 20 U.S.C. 1221h(a))

3. *Functions of the Council.* The Council is directed to: (a) Submit to the Commissioner of Education a list of nominees for the position of Deputy Commissioner of Indian Education;

(20 U.S.C. 1221f(a))

(b) Advise the Commissioner of Education with respect to the administration (including the development of regulations and of administrative practices and policies) of any program in which Indian children or adults participate from which they can benefit, including Title III of the Act of September 30, 1950 (Pub. L. 81-874) and section 1005 of Title X of the Elementary and Secondary Education Act of 1965 (both as added by Title IV of Pub. L. 92-318 and as amended), and with respect to adequate funding thereof;

(c) Review applications for assistance under Title III of the Act of September 30, 1950 (Pub. L. 81-874), section 1005 of Title X of the Elementary and Secondary Education Act of 1965, and section 316 of the Adult Education Act (all as added by Title IV of Pub. L. 92-318 and as amended), and make recommendations to the Commissioner with respect to their approval;

(d) Evaluate programs and projects carried out under any program of the Department of Health, Education, and Welfare in which Indian children or adults can participate or from which they can benefit, and disseminate the results of such evaluations;



(e) Provide technical assistance to local educational agencies and to Indian educational agencies, institutions, and organizations to assist them in improving the education of Indian children;

(f) Assist the Commissioner in developing criteria and regulations for the administration and evaluation of grants made under section 303(b) of the Act of September 30, 1950 (Pub. L. 81-874) (as added by Title IV, Part A, of Pub. L. 92-318); and

(g) Submit to the Congress not later than June 30 of each year a report on its activities, including any recommendations it may deem necessary for the improvement of Federal education programs in which Indian children or adults participate, or from which they can benefit, and including a statement of the Council's recommendations to the Commissioner with respect to the funding of any such programs.

(Pub. L. 92-318, section 442(b); 20 U.S.C. 1221g(b))

4. *Nomination categories.* Nominations submitted to the Commissioner of Education should be made according to the following categories: (a) *Professional educators.* Indians with active experience as professionals in the areas of early childhood, elementary, secondary, higher, special, vocational, and adult education, such as, teachers, professors, administrators, specialists (e.g., curriculum, language, math, etc.), counselors, and researchers.

(b) *Laypersons involved in education.* Indians with active experience as laypersons involved with education such as, school board members, Parent-Teacher Association members, parents of school-age children, or those with other lay involvement.

(c) *Students.* Indians who are college students or who have reached their junior year of high school at the time of nomination.

(d) *Individuals with other than education experience.* Indians who do not have education experience, preferably those individuals who have experience in a field involving Indian affairs.

5. *Nomination review procedure.* The Deputy Commissioner of Indian Education will gather members of the Office of Indian Education staff to screen nominations received and address appropriate criteria including those set out below. A list of recommended individuals will be compiled as a result of this screening and will be forwarded to the Commissioner of education for review. This list will be accompanied by a list of all individuals nominated.

The Commissioner of Education will make recommendations to the Secretary of Health, Education, and Welfare and forward the list of recommended individuals, as well as the

complete list of all individuals nominated.

The Secretary of Health, Education, and Welfare will then make recommendations to the President of the United States and forward a list of recommended individuals, as well as the complete list of all individuals nominated, for the President's review and necessary action.

6. *Criteria for recommendations.* To maintain a balanced representation on the Council, priority consideration will be given to nominees in categories other than professional educators. Every effort will be made to recommend individuals representing diverse geographic areas of the country, particularly from those areas with large Indian populations. Consideration will also be given to the balance on the Council in terms of sex, and urban and rural (reservation and non-reservation) representation during the screening process.

The following factors will be considered in selecting individuals to be recommended for appointment: Indian education experience; general education experience; education expertise in the areas of early childhood, elementary, vocational, special and adult education; education background; previous council or committee experience; honors and awards received; and organizational memberships.

Nominees will also be considered on the basis of their knowledge of and experience with both local community and national issues.

7. *Nomination procedure.* Nominations must be submitted to the Commissioner of Education on Office of Education Form OE-543, which may be obtained by writing or telephoning the Office of Indian Education, U.S. Office of Education, FOB-6, Room 2177, 400 Maryland Avenue SW., Washington, D.C. 20202, telephone 202-245-8060.

(a) Nominations delivered by mail. A nomination sent by mail must be addressed as above and mailed on or before March 5, 1979. The use of registered or at least first class mail is encouraged. Proof of mailing must consist of a legible U.S. Postal Service dated postmark or a legible mail receipt with the date of mailing stamped by the U.S. Postal Service. Private metered postmarks or mail receipts will not be accepted without a legible date stamped by the U.S. Postal Service.

NOTE.—The U.S. Postal Service does not uniformly provide a dated postmark. Nominating Indian tribes or organizations should check with the local post office before relying on this method.

Each late nominating Indian tribe or organization will be notified that its nomination will not be considered in the current recommendations.

(b) Nominations delivered by hand. A nomination to be hand delivered must be taken to the Office of Indian Education, Room 2177, Federal Office Building Six, 400 Maryland Avenue SW., Washington, D.C. Hand-delivered nominations will be accepted daily between the hours of 7:30 a.m. and 4:00 p.m., Washington, D.C., time, except Saturdays, Sundays, and Federal holidays. Nominations will not be accepted after 4:00 p.m. on March 5, 1979.

8. *Incomplete forms.* Incomplete forms will be returned to the nominating Indian tribe or organization accompanied by a checklist detailing information necessary for completion. Completed forms must be returned to the Office of Indian Education no later than March 5, 1979, or fifteen (15) days after the date on the checklist (whichever is later), in order to be considered for recommendation by the Commissioner. Proof of mailing will be the same as stated in paragraph 7 above.

Dated: January 15, 1979.

ERNEST L. BOYER,  
U.S. Commissioner of Education.  
[FR Doc. 79-2254 Filed 1-22-79; 8:45 am]

#### [4210-01-M]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-570-DR; Docket No. NFD-6591]

#### ARIZONA

#### Amendment to Notice of Major Disaster Declaration

AGENCY: Federal Disaster Assistance Administration.

ACTION: Notice.

SUMMARY: This Notice amends the Notice of major disaster declaration for the State of Arizona (FDAA-570-DR), dated December 21, 1978.

DATED: January 7, 1979.

FOR FURTHER INFORMATION  
CONTACT:

A. C. Reid, Program Support Staff,  
Federal Disaster Assistance Administration,  
Department of Housing and  
Urban Development, Washington,  
D.C. 20410 (202/634-7825).

NOTICE: The Notice of major disaster for the State of Arizona dated December 21, 1978, is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 21, 1978.

The County of: Santa Cruz.



(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

WILLIAM H. WILCOX,  
Administrator, Federal Disaster  
Assistance Administration.

[FR Doc. 79-2298 Filed 1-22-79; 8:45 am]

[4310-84-M]

# DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

[U-41840]

### UTAH

#### Application

JANUARY 15, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the CCCo. has applied for a 2½-inch natural gas pipeline right-of-way across the following lands:

#### SALT LAKE MERIDIAN, UTAH

T. 21 S., R. 23 E.,  
Sec. 14, NE¼NW¼.

The needed right-of-way is a portion of applicant's gas gathering system located in Grand County, Utah.

The purpose of this notice is to inform the public that the Bureau will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved, and if so, under what terms and conditions.

Interested persons should express their interest and views to the Moab District Manager, Bureau of Land Management, P.O. Box 970, Moab, Utah 84532.

DELL T. WADDUPS,  
Chief, Branch of  
Lands and Minerals Operations.

[FR Doc. 79-2297 Filed 1-22-79; 8:45 am]

[4310-01-M]

[Wyoming 66226]

### WYOMING

#### Application

JANUARY 12, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Powder River Pipeline Corporation of Casper, Wyoming 82602 filed an application for a right-of-way to construct a 4½ inch pipeline for the purpose of transporting crude oil across the following described public lands:

#### SIXTH PRINCIPAL MERIDIAN WYOMING

T. 45 N., R. 77 W.,  
Sec. 22, SW¼.

The pipeline will transport crude oil produced from the Davis-No. 1 American Federal Well located in the NE¼SW¼ sec. 22, to a point in the NW¼SW¼ sec. 22, all in T. 45 N., R. 77 W., 6th P.M. in Johnson County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 951 Union Boulevard, Casper, Wyoming 82601.

HAROLD G. STINCHCOMB,  
Chief, Branch of  
Lands and Minerals Operations.

[FR Doc. 79-2311 Filed 1-22-79; 8:45 am]

[4310-84-M]

[Wyoming 66327]

### WYOMING

#### Application

JANUARY 12, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Gas Company of Colorado Springs, Colorado, filed an application for a right-of-way to construct a 4½ inch O.D. pipeline and related facilities for the purpose of transporting natural gas across the following described public lands:

#### SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 19 N., R. 94 W.,  
Sec. 22, S¼NE¼, N¼SW¼, SE¼SW¼, and  
NW¼SE¼.

The pipeline with related facilities will transport natural gas produced from the Unit 4-22 Well located in the SW¼ of sec. 22, to a point of connection with Colorado Interstate Gas Company's existing pipeline in the SW¼ of sec. 23, all within T. 19 N., R. 94 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management,

1300 Third Street, P. O. Box 670, Rawlins, Wyoming 82301.

HAROLD G. STINCHCOMB,  
Chief, Branch of  
Lands and Minerals Operations.

[FR Doc. 79-2310 Filed 1-22-79; 8:45 am]

[4310-84-M]

[Wyoming 65888]

### WYOMING

#### Application

JANUARY 12, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Northwest Pipeline Corporation of Salt Lake City, Utah filed an application for a right-of-way to construct a 4½ inch O.D. pipeline for the purpose of transporting natural gas across the following described public lands:

#### SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 16 N., R. 93 W.,  
Sec. 15, S¼SW¼, NE¼SW¼;  
Sec. 17, S¼SW¼, SE¼SE¼;  
Sec. 20, N¼NE¼, NE¼NW¼.

The proposed pipeline will transport natural gas from a well in the SW¼SW¼ section 17, flowing easterly to tie-in's with an existing gathering system located in the NE¼SW¼, section 15, T. 16 N., R. 93 W., Carbon County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third Street, P. O. Box 670, Rawlins, Wyoming 82301.

HAROLD G. STINCHCOMB,  
Chief, Branch of  
Lands and Minerals Operations.

[FR Doc. 79-2309 Filed 1-22-79; 8:45 am]

[4310-84-M]

[Wyoming 65877]

### WYOMING

#### Application

JANUARY 12, 1979.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Colorado Interstate Gas Company of Colorado Springs, Colorado filed an application for a right-of-



## NOTICES

way to construct a 6% inch pipeline and appurtenant facilities for the purpose of transporting natural gas across the following described public lands:

## SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 18 N., R. 98 W.,  
Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 14, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

The proposed pipeline will transport natural gas from the Table Rock Unit No. 39 well in the NW $\frac{1}{4}$  of section 14 into an existing natural gas pipeline in the SE $\frac{1}{4}$  section 10, T. 18 N., R. 98 W., Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, Highway 187 N., P. O. Box 1869, Rock Springs, Wyoming 82901.

HAROLD G. STINCHCOMB,  
Chief, Branch of

Lands and Minerals Operations.

[FR Doc. 79-2300 Filed 1-22-79; 8:45 am]

## [4310-03-M]

## Heritage Conservation and Recreation Service

## NATIONAL REGISTER OF HISTORIC PLACES

## Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the Heritage Conservation and Recreation Service before January 12, 1979. Pursuant to section 60.13(a) of 36 CFR Part 60, published in final form on January 9, 1976, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the keeper of the National Register, Office of Archeology and Historic Preservation, U.S. Department of the Interior, Washington, DC 20240. Written comments or a request for additional time to prepare comments should be submitted by February 2, 1979.

CHARLES HERRINGTON,  
Acting Keeper of the  
National Register.

## ARIZONA

## Pima County

Tucson, San Agustin del Tucson, Brickyard Lane and Mission Rd.

## IOWA

## Scott County

Davenport, Clifton, 1533 Clay St.

## MARYLAND

## Queen Anne's County

Stevensville, Christ Church, MD 18.

## NEW JERSEY

## Middlesex County

Perth Amboy, Raritan Copper Works, Elm and Market Sts.

## New Mexico

## Bernalillo County

Albuquerque, Barela-Bledsoe House, 7017 Edith Blvd., NE.

Albuquerque, First National Bank Building, 217-233 Central Ave., NW.

## San Miguel County

Las Vegas, Liberty Park Historic District, Liberty Park and environs.

## Santa Fe County

Lamy vicinity, San Cristobal Archeological District, S of Lamy.

Taos, Gaspard, Leon, House, Raton Rd.

## NEW YORK

## Essex County

Elizabethtown, Hand-Hale Historic District, River and Maple Sts.

## Orange County

Vails Gate, Edmonston House, NY 94.

## Tompkins County

Ithaca, Strand Theatre, 310 E. State St.

## Washington County

White Creek, White Creek Historic District, SR 68, Byars and Niles Rds.

## Westchester County

Tarrytown, North Grove Street Historic District, 1, 2, 8, 15, and 19 Grove St.

## OHIO

## Clark County

Springfield, Main Street Buildings, 6-14 E. Main St.

Brecksville, Burl, William, House, 9525 Brecksville Rd.

Brecksville, Rich, Charles B., House, 9367 Brecksville Rd.

Brecksville vicinity, Station Road Bridge, E of Brecksville at Cuyahoga River (also in Summit County).

Cleveland Heights, Alcazar Hotel, Surrey and Derbyshire Rds.

Gates Mills, Gates Mills Village District, OH 174.

Independence, Packard-Doubler House, 7634 Riverview Rd.

Valley View, Knapp, William H., House, 7101 Canal Rd.

Valley View, Ulyatt, Abraham, House, 6579 Canal Rd.

## Franklin County

Hilliard vicinity, Wesley Chapel, SE of Hilliard at 3299 Dublin Rd.

## Hardin County

Kenton, Hardin County Courthouse, Courthouse Sq.

## Highland County

Hillsboro vicinity, Eubanks-Tytus House, SE of Hillsboro on OH 41.

## Holmes County

Winesburg vicinity, Shull-Lugenbuhl Farm, N of Winesburg on SR 222.

## Lake County

Madison vicinity, Madison Seminary and Home, N of Madison at 6769 Middle Ridge Rd.

## Lorain County

Oberlin, Burrell-King House, 317 E. College St.

Oberlin, Jewett, Frank, House, Little Red Schoolhouse and Shurtleff-Monroe House, 73 S. Professor St.

Oberlin, Oberlin Lake Shore and Michigan Southern Station, Depot Park.

## Montgomery County

Dayton, East Second Street District, 3-27 E. 2nd St.

## Richland County

Lexington, First Congregational Church and Lexington School, 47 Delaware St. and 51 W. Church St.

## Stark County

Louisville, St. Louis Church, 300 N. Chapel St.

Massillon, St. Timothy's Protestant Episcopal Church, 226 3rd St., SE.

## Summit County

Peninsula vicinity, Brown, Jim, House, S of Peninsula at 3491 Akron Peninsula Rd.

## Tuscarawas County

Port Washington, Port Washington Town Hall, Main St.

## Warren County

Morrow vicinity, Trevey Mound, E of Morrow.

## Bexar County

San Antonio vicinity, Altgelt-Maverick Ranch and Fromme Farm, NW of San Antonio.

## Goliad County

Goliad vicinity, Peck, Capt. Barton, House, W of Goliad at Hill Ave. and Post Oak St.

## Harris County

Houston vicinity, Harris County Boys' School Site, NE of Houston.

## Harrison County

Marshall vicinity, Dial-Williamson House, 3 mi. (4.8 km) W of Marshall on Old Longview Rd.

## WASHINGTON

## Ferry County

Curlew, Ansonge Hotel, River St. and Railroad Ave.

Danville, Nelson-Grunwell Store, Main and Wall Sts.



**King County**

Seattle, *Ballard-Howe House*, 22 W. Highland Dr.

**Pend Oreille County**

Metaline Falls, *Larson, Lewis P., House*, 5th and Pend Oreille Blvd.  
Metaline Falls, *Washington Hotel*, 5th Ave. and Washington St.

**Spokane County**

Cheney, *Cheney Interurban Depot*, 505 2nd St.  
Spokane vicinity, *Riblet, Royal, House*, E of Spokane on Fruit Hill Rd.

**Whatcom County**

Bellingham, *Eldridge Avenue Historic District*, roughly bounded by Great Northern RR track, Squalicum Ravine, North and Elm Sts., and Broadway.

**Whitman County**

Pullman, *Stevens Hall*, Campus and Administration Sts.

[FR Doc. 79-1905 Filed 1-22-79; 8:45 am]

**[4310-31-M]****Geological Survey**

[Int FES 79-1]

**ENVIRONMENTAL IMPACT STATEMENT**

**Availability of Final Statement Coal Creek Mine, Campbell County, Wyo.**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental impact statement on the proposed Coal Creek surface coal mining operation by the Atlantic Richfield Company in Campbell County, Wyoming. The final statement assesses the environmental impacts of the lessee's plan for the surface mining of federally owned coal and the concurrent reclamation and revegetation of surface lands. The proposed action is on Federal coal lease W-3446, located 25 miles (40km) southeast of Gillette, Wyoming, in Campbell County.

The mine plan contained in this final environmental impact statement was submitted prior to the promulgation of interim regulations by the U.S. Office of Surface Mining, pursuant to the Surface Mining Control and Reclamation Act of 1977. It has not been reviewed for compliance with those requirements. Prior to making any decision on approval of the mining and reclamation plan, the Department will perform a technical review for compliance with the Surface Mining Regulations. Once the mine plan is confirmed to meet those regulations, the Department will evaluate whether this final environmental impact statement is adequate for the mine plan approval action or whether a supplemental to

this impact statement needs to be prepared and distributed.

Comments received on the draft environmental statement during the comment period were considered in the preparation of the final environmental statement and are reproduced in the appendix.

The proposed mining and reclamation plan assessed in this statement was one of the mining proposals identified in the preparation of the regional analysis (Part I) of the Department's final environmental statement, FES 74-55, entitled "Proposed Development of Coal Resources in the Eastern Powder River Coal Basin in Wyoming," which was filed with the Council on Environmental Quality on October 18, 1974. Public hearings on the draft of the FES 74-55 statement were held as follows: June 24-25, 1974, at Cheyenne, Wyo.; June 26, 1974, at Casper, Wyo.; and June 27-28, 1974, at Gillette, Wyo.

The final environmental impact statement is available for public review in the U.S. Geological Survey Library, 1526 Cole Blvd., Golden, Colo.; the U.S. Geological Survey Library, Room 4A100, National Center, Reston, Va.; the Converse County Library, 300 Walnut St., Douglas, Wyo.; the George Amos Memorial Library, 412 South Gillette Ave., Gillette, Wyo.; the Library of Natrona County, 307 East Second, Casper, Wyo.; and the State Library, State of Wyoming, Supreme Court Bldg., Cheyenne, Wyo. A limited number of copies are available on request from the U.S. Geological Survey, Land Information and Analysis Office, Federal Center, Stop 701, Denver, CO 80225.

Dated: January 18, 1979.

LARRY E. MEIEROTTO,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc. 79-2282 Filed 1-22-79; 8:45 am]

**[4410-01-M]****DEPARTMENT OF JUSTICE****UNITED STATES CIRCUIT JUDGE NOMINATING COMMISSION, SEVENTH CIRCUIT PANEL****Meeting**

Due to the unforeseen weather conditions, the Seventh Circuit Panel (Chairman: Justin A. Stanley) of the United States Circuit Judge Nominating Commission cancelled its meeting on January 18, 1979.

The Panel will convene on January 27, 28, 29, 1979, in the Concourse Hotel, One West Dayton Street, Madison, Wisconsin 53703.

These meetings will be closed to the public pursuant to Pub. L. 92-463, Sec-

tion 10(D) as amended. (CF. 5 U.S.C. 552b(c)(6).)

JOSEPH A. SANCHES,  
Advisory Committee  
Management Officer.

JANUARY 18, 1979.

[FR Doc. 79-2272 Filed 1-22-79; 8:45 am]

**[4410-18-M]****Law Enforcement Assistance Administration****MULTIJURISDICTIONAL SENTENCING GUIDELINES FIELD TEST****Solicitation for Competitive Research Grant Program**

The National Institute of Law Enforcement and Criminal Justice announces a competitive research grant program to evaluate the Multijurisdictional Sentencing Guidelines Field Test.

The basis for the test is the Program Test Design, a document with detailed specification of selected program elements. The goals of each field test site (a state) are to determine the effectiveness of these elements or program strategies in multiple settings, and to examine their transferability to other states.

The major objectives of the evaluation are:

To test the effectiveness of guidelines within a state as a method for increasing sentencing consistency;

To assess the feasibility of developing and implementing sentencing guidelines as a policy tool in a multi-jurisdictional setting;

To examine the impact of guidelines on sentencing practices and on other components of the criminal justice system; and

To provide a descriptive account of the guideline development and implementation process for use by other jurisdictions interested in this process.

The solicitation asks for the submission of draft proposals. A formal application will be requested following a peer review process in accordance with the criteria set forth in the solicitation. In order to be considered all papers must be postmarked no later than April 1, 1979. This grant is planned for award in July, 1979 with funding support not to exceed \$400,000 or 30 months in duration.

Further information and copies of the solicitation can be obtained by contacting Rosemary Murphy or Jay Merrill, Office of Program Evaluation, NILECJ, 633 Indiana Avenue, N.W.,



Washington, D.C. 20531 (301) 492-9085.

BLAIR G. EWING,  
Acting Director, NILECJ.

JAY BROZOST,  
Attorney-Adviser,  
Office of General Counsel.

[FR Doc. 79-2287 Filed 1-22-79; 8:45 am]

#### [4510-43-M]

### DEPARTMENT OF LABOR

#### Mine Safety and Health Administration

[Docket No. M-78-66-M]

#### CLEGHORN & WASHBURN MINING CO.

#### Petition for Modification of Application of Mandatory Standard

Cleghorn & Washburn Mining Company, P.O. Box 2604, Grand Junction, Colorado 81501, has filed a petition to modify the application of 30 CFR 57.5-50 (noise) to its Pandora Mine in La Sal, Utah and its Rex Mine and CLP-22A in Uravan, Colorado. The Petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977, Pub. L. 95-194.

The substance of the petition follows:

(1) The petitioner has found that currently available add-on mufflers do not appreciably decrease the noise levels of its rock drills.

(2) In addition, these add-on mufflers are difficult to maintain, cause freezeups, slow drilling operations, and cause poor handling characteristics and loss of drill balance, thereby increasing the probability of an accident to the drill operator.

(3) The petitioner's employees wear both ear plugs and ear muffs while drilling. The petitioner believes that together these types of ear protection provide better protection than that provided by the mufflers.

(4) The petitioner states that if the mufflers were removed, drill performance would improve, thereby decreasing the driller's exposure time to drilling noise.

(5) For these reasons, the petitioner requests relief from the application of the standard to its rock drills until manufacturers can build satisfactory add-on mufflers.

#### REQUEST FOR COMMENTS

Persons interested in this petition may furnish written comments on or before February 22, 1979. Comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: January 16, 1979.

ROBERT B. LAGATHER,  
Assistant Secretary  
for Mine Safety and Health.

[FR Doc. 79-2327 Filed 1-22-79; 8:45 am]

#### [4510-43-M]

[Docket No. M-78-38]

#### MID-CONTINENT COAL AND COKE CO.

#### Final Action Granting a Petition for Modification of Application of Mandatory Safety Standard

The Mine Safety and Health Administration (MSHA) has granted in part the petition (43 FR 8191) of the Mid-Continent Coal and Coke Co. to modify the application of 30 CFR 75.501 to its Dutch Creek No. 1 and L. S. Wood No. 3 Mines located in Pitkin County, Colorado, in accordance with Section 101(c) of the Federal Mine Safety and Health Act of 1977, Pub. L. 95-164. MSHA has determined that an alternative method exists that will guarantee at all times no less than the same measure of protection given miners of the mine by the standard.

MSHA based its determination on the following findings:

1. The intent of the modification is to provide 480 volt power to the tailgate entry of the longwalls by use of a 1/0 trailing cable in excess of 800 feet, the maximum length allowed by Schedule 2G. Cable length of 1100 feet is needed to span both the 500 foot maximum length from the power center to the head gate and the 550-600 foot face.

2. Inspection of the advancing long-wall face of Dutch Creek No. 1 mine showed it to be as described in the petition with but two exceptions. The electrical distribution box described in 6(b) of the petition was not secured to a chock, but was hanging freely by chains. MSHA investigation saw the intended installation at the L. S. Wood No. 3 mine, and it appeared adequate for the purpose. A steel shelf was welded to a chock, and the distribution box welded to the shelf. The second exception was that electrical protection proposed in 6(d) of the petition had not been specified or considered. Information was provided to MSHA to permit MSHA to recommend maximum short circuit protection settings.

3. Installation of the advancing long-wall in the L. S. Wood No. 3 mine was incomplete at the time of MSHA's investigation. The tailgate chocks were still above ground. Inspection did show the installation to be similar to that of the Dutch Creek No. 1 mine, however, and similar mining problems and need for this petition are expected.

4. Heaving is indeed a problem in the tailgate entries of these advancing longwall sections, and electric power is required to adequately brush the area. Maintenance of ventilation and escapeways would be impractical without such brushing.

5. Equivalent protection to that provided by Section 75.501 will be attained by additional safeguards. Electrical protection can be provided by reduced settings of short circuit protective devices. Physical protection can be provided by routing the 1/0 cable with other suitably protected longwall trailing cables, and by securing the distribution box in a protected area at the tailgate. The less protected cables used in the tailgate entry will no more subject to damage than those used in other normal mining applications.

6. The settings for protection of the 1/0 AWG cables extending from the power center to the distribution box and from the distribution box to the loading or dinting machine have been reduced in accordance with the IEEE paper, "Instantaneous Circuit Breaker Settings for the Short Circuit Protection of Three Phase 480,600 and 1040 Volt Trailing Cables." Settings for protection of the No. 4 and No. 8 AWG cables safely could be raised from the maximum allowed by Schedule 2G, but need not be for the loads expected.

7. MSHA investigators recommended that this petition for modification be approved with the plan and safeguards described in the petition if the following conditions are met:

a. Cable sizes shall be no smaller and lengths no longer than the following for circuits originating at the tailgate distribution box:

- (1) the loading machine or dinting machine circuit, 1/0 AWG, 400 feet;
- (2) the chain transfer conveyer circuit, No. 4 AWG, 100 feet;
- (3) the hydraulic power-pack and circulating pump circuits, No. 8 AWG, 100 feet.

b. These same circuits shall be protected by instantaneous trip circuit breakers set no higher than the following:

- (1) the loading machine or dinting machine circuit, 620 amperes;
- (2) the 40 hp chain transfer conveyer circuit, 500 amperes;
- (3) the 10 hp hydraulic power-pack and 10 hp circulating pump circuits, 200 amperes for each circuit.

Because of these findings, the Administrator for Coal Mine Safety and Health, under authority delegated by the Secretary of Labor, ordered that the petition be granted, conditioned on compliance with the terms stated in the petition and with the recommendations made by MSHA's investigators.

A copy of the decision is available for inspection by the public at the



Office of Standards, Regulations and Variances, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203.

Dated: January 12, 1979.

ROBERT B. LAGATHER,  
Assistant Secretary  
for Mine Safety and Health.

[FR Doc. 79-2326 Filed 1-22-79; 8:45 am]

#### [7590-01-M]

### NUCLEAR REGULATORY COMMISSION

#### ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON EVALUATION OF LICENSEE EVENT REPORTS

##### Meeting

The ACRS Subcommittee on Evaluation of Licensee Event Reports will hold an open meeting on February 7, 1979, in Room 1046, 1717 H Street, N.W., Washington, DC 20555. Notice of this meeting was published on January 19, 1979.

In accordance with the procedures outlined in the FEDERAL REGISTER on October 4, 1978, (43 FR 45926), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows: *Wednesday, February 7, 1979, 8:30 a.m. until the conclusion of business.*

The Subcommittee may meet in Executive Session, with any of its consultants who may be present, representatives of the NRC Staff and the Nuclear Safety Information Center (NSIC), and their consultants, to plan its review of Licensee Event Reports submitted during the period 1976-1978.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the Designated Federal Employee for this meeting, Mr. Robert L. Wright, Jr., (telephone 202/634-3314) between 8:15 a.m. and 5:00 p.m., EST.

Background information concerning items to be considered at this meeting can be found in documents on file and available for public inspection at the

NRC Public Document room, 1717 H Street, N.W., Washington DC 20555.

Dated: January 17, 1979.

JOHN C. HOYLE,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2092 Filed 1-22-79; 8:45 am]

#### [7590-01-M]

#### ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON PROCEDURES AND ADMINISTRATION

##### Meeting

The ACRS Subcommittee on Procedures and Administration will hold a meeting on February 7, 1979, in Room 1046, 1717 H Street, N.W., Washington, DC 20555. Notice of this meeting was published January 19, 1979.

In accordance with the procedures outlined in the FEDERAL REGISTER on October 4, 1978, (43 FR 45926), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows: *Wednesday, February 7, 1979, 4:00 p.m. until the conclusion of business.*

The Subcommittee will meet in Executive Session to discuss work assignments of ACRS fellows and appointments of individuals as ACRS fellows.

In addition, it may be necessary for the Subcommittee to hold one or more closed sessions for the purpose of discussing the qualifications of candidates for appointments as ACRS fellows. I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that, should such sessions be required, it is necessary to close these sessions to protect information, the release of which would represent an unwarranted invasion of personal privacy, (5 U.S.C. 552(c)(6)).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a period telephone call to the Designated Federal Employee for this meeting, Mr. Marvin C. Gaske, (telephone 202/634-3265) between 8:15 a.m. and 5:00 p.m., EST.

Dated: January 17, 1979.

JOHN C. HOYLE,  
Advisory Committee  
Management Officer.

[FR Doc. 79-2093 Filed 1-22-79; 8:45 am]

#### [3110-01-M]

### OFFICE OF MANAGEMENT AND BUDGET

#### CLEARANCE OF REPORTS

##### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on January 16, 1979 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes:

The name of the agency sponsoring the proposed collection of information;

The title of each request received;

The agency form number(s), if applicable;

The frequency with which the information is proposed to be collected;

An indication of who will be the respondents to the proposed collection;

The estimated number of responses;

The estimated burden in reporting hours; and

The name of the reviewer or reviewing division or office.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

#### NEW FORMS

##### VETERANS ADMINISTRATION

Application for Predischage Education Program

22-8821P

On occasion

20,000 servicemen or servicewomen

20,000 responses; 5,000 hours

Caywood, D. P., 395-6140

##### OFFICE OF PERSONNEL MANAGEMENT AUTHORITY

Presidential Management Internship Program Evaluation

OPM 1378

Annually

1,000 nominees to the PMIP

1,000 responses; 500 hours

Marsha Traynham, 395-6140

Personnel Research Questionnaire 79-

1

OPM 1377



On occasion  
400,000 applicants for Federal employment  
400,000 responses; 66,667 hours  
Marsha Traynham, 395-6140

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control  
Report of illness following vaccination  
On occasion  
6,300 immunization project grantees  
6,300 responses; 3,150 hours  
Richard Eisinger, 395-3214

Social Security Administration  
Staff Development Expenditures for Financial Assistance and Social Service Programs Under Title I, IV-A, X, XIV, and XVI of the Social Security Act

SSA 4591  
Annually  
54 State agencies  
54 responses; 162 hours  
Reese B.F., Budget Review Division, 395-3211

Health Care Financing Administration (Medicare)  
Early Periodic Screening, Diagnosis, and Treatment

Developmental Review Questionnaires  
HCFA 86 & 87  
Single-time

1,256 Medicaid recipients and health care professionals  
1,256 responses; 418 hours  
Richard Eisinger, 395-3214

#### DEPARTMENT OF TRANSPORTATION

Federal Highway Administration  
On-the-road fuel economy survey  
NHTSA test  
On occasion  
1,000 DOT owners of passenger cars/light trucks  
1,000 responses; 50 hours  
Geiger, Susan B., 395-5867

#### REVISIONS

#### DEPARTMENT OF AGRICULTURE

Food and Nutrition Service  
Summer food service program for children  
FNS-80  
On occasion  
State agencies and service institutions (sponsors)  
11,788 responses; 23,138 hours  
Budget Review Division, 395-4775

#### DEPARTMENT OF COMMERCE

Bureau of Census,  
Shipments of metal cans  
MA-34D  
Monthly  
Manufacturers of metal cans  
250 responses; 250 hours  
C. Louis Kincannon, 395-3211

#### DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration  
Motor vehicle safety regulation defect reports  
49 CFR, Part 573  
On occasion  
Motor vehicle and motor vehicle equipment manufacturers  
1,400 responses; 14,000 hours  
Geiger, Susan B., 395-5867

#### EXTENSIONS

#### VETERANS ADMINISTRATION

Claim for One Sum Payment (Life Insurance)  
29-4125  
On occasion  
Beneficiary  
45,000 responses; 7,500 hours  
Caywood, D. P., 395-6140

#### DEPARTMENT OF COMMERCE

Industry and Trade Administration  
Aluminum producers and importers (receipts, shipments, and stocks)  
DIB-978  
Monthly  
Aluminum producers and importers  
3,600 responses; 1,800 hours  
C. Louis Kincannon, 395-3211

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration  
Application for a social security number  
SS-5  
On occasion  
Individuals requesting a SSN, revision, or correction  
8,000,000 responses; 400,000 hours  
Reese B. F., 395-3211

DAVID R. LEUTHOLD,  
*Budget and Management Officer.*

[FR Doc. 79-2279 Filed 1-22-79; 8:45 aml]

#### [3110-01-M]

#### CLEARANCE OF REPORTS

##### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by The Office of Management and Budget on January 11, 1979 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes  
The name of the agency sponsoring the proposed collection of information;

The title of each request received;  
The agency form number(s), if applicable;

The frequency with which the information is proposed to be collected;

An indication of who will be the respondents to the proposed collection;  
The estimated number of responses;  
The estimated burden in reporting hours; and

The name of the reviewer or reviewing division or office.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

#### NEW FORMS

#### OFFICE OF MANAGEMENT AND BUDGET

Contract Pricing Proposal (Motion Picture)  
On occasion  
4,000 Motion picture producers, 4,000 responses; 10,000 hours  
Richard Eisinger, 395-3214

#### U.S. CIVIL SERVICE COMMISSION

IPA Mobility Program Participant Survey, Evaluation  
Guidelines and Verification of Continuing Education  
PM 11  
Single-time  
2,530 Mobility assignees, program & Govt. Aca. Officials, 2,530 responses; 1,565 hours  
Marsha Traynham, 395-6140

#### DEPARTMENT OF COMMERCE

Economic Development Administration  
Preliminary Plan for Data Collection Forms for the  
Micro-Economic Evaluation of the Local Public Works program  
ED-447Q  
Single-time  
3,000 Local government and business officials, 3,000 responses; 1,500 hours  
C. Louis Kincannon, 395-3211

#### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration  
In-Home/In-Store Food Package Information Usage Study  
Single-time  
208 Food shoppers from 38 large PSU's, 208 responses; 248 hours  
Richard Eisinger, 395-3214

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Policy Development and Research  
Baseline Neighborhood Household Survey for M.F.  
Sweat Equity Home Neighborhood  
Single-time



600 Hhlds. in Lower East Side of Manhattan & South Bronx, 600 responses; 450 hours  
Strasser, A., 395-6132

Government National Mortgage Association  
Summary of Guaranty Agreement-Graduated Payment  
HUD-1742

On occasion  
700 mortgage bankers, 700 responses; 175 hours  
Strasser, A., 395-6132

Government National Mortgage Association  
Schedule of subscribers  
HUD-1705  
On occasion  
6,000 Mortgage bankers, 6,000 responses; 1,500 hours  
Strasser, A., 395-6132

#### REVISIONS

##### DEPARTMENT OF AGRICULTURE

Food and Nutrition Service  
Application for participation and site information  
(SFSPFC & SMP)  
FNS-81, FNS-81-1  
Annually  
Service institutions, 11,880 responses; 12,320 hours  
Ellett, C. A., 395-6132

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Government National Mortgage Association  
Commitment to guaranty mortgage-backed securities  
HUD 1704  
On occasion  
Mortgage bankers, 10,000 responses; 1,666 hours  
Strasser, A., 395-6132

##### DEPARTMENT OF LABOR

Employment and Training Administration  
State and National Apprenticeship Data System (SNAPS)  
ETA 5125 and 5126  
Semi-annually  
Federal and State apprenticeship and training reps. 178,000 responses; 52,332 hours  
Strasser, A., 395-6132

#### EXTENSIONS

COMMUNITY SERVICES ADMINISTRATION  
Application for Recognition of a CAA-Local Civil Service Agency's Certification  
373  
On occasion  
1,600 grantees, 300 responses; 7,500 hours  
Reese B. F., 395-3211

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Production and Mortgage Credit  
Borrower's certificate of actual cost  
FHA-2205  
On occasion  
Project mortgagors, 300 responses; 150 hours  
Strasser, A., 395-6132

##### DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
Log scale and disposition of timber removed report  
5460-15  
On occasion  
Timber sale contractors, 750 responses; 375 hours  
Ellett, C. A., 395-6132

##### DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
Environmental Education Interests Inventory  
6129-A and 6129-2  
On occasion  
Schools and community organizations, 600 responses; 200 hours  
Ellett, C. A., 395-6132

DAVID R. LEUTHOLD,  
*Budget and Management Officer.*

[FR Doc. 79-2284 Filed 1-22-79; 8:45 am]

#### [3110-01-M]

##### CLEARANCE OF REPORTS

###### List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on January 15, 1979 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes:

The name of the agency sponsoring the proposed collection of information;

The title of each request received;

The agency form number(s), if applicable;

The frequency with which the information is proposed to be collected;

An indication of who will be the respondents to the proposed collection;

The estimated number of responses;

The estimated burden in reporting hours; and

The name of the reviewer or reviewing division or office.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Man-

agement and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

#### NEW FORMS

##### PRESIDENT'S COMM. ON FOR. LANG. & INTERN. STUDIES

Questionnaire on Fulbright Experience  
Single-Time  
5,000 former Fulbright grantees  
5,000 responses; 2,400 hours  
Laverne V. Collins, 395-3214

##### DEPARTMENT OF ENERGY

Worker Questionnaire for Plant Scherer  
RA-74  
On occasion  
1,530 workers at plant Scherer  
1,530 responses; 255 hours  
Hill, Jefferson B., 395-5867

Pretest of Transportation Panel  
EIA-141

On occasion  
252 households interviewed through the EIA-84  
252 responses; 126 hours  
Hill, Jefferson B., 395-5867

##### OFFICE OF PERSONNEL MANAGEMENT AUTHORITY

Financial Disclosure Statement  
SF 278  
On occasion  
500 presidential or vice-presidential candidates  
500 responses; 500 hours  
Marsha Traynham, 395-6140

##### COMMUNITY SERVICES ADMINISTRATION

Checkpoint Procedure for Coordination  
394  
Annually  
1,600 grantees  
300 responses; 7,500 hours  
Reese, B. F., 395-3211

##### DEPARTMENT OF ENERGY

Survey of Plant Combustible Solid Waste and Existing Combustible Equipment  
EIA-58

Single-time  
100 industrial plants  
100 responses; 100 hours  
Hill, Jefferson B., 395-5867

Household Survey for Monroe County, Georgia  
RA-78

Single-time  
345 households in Monroe County, Georgia  
345 responses; 172 hours  
Hill, Jefferson B., 395-5867

Commercial Non-Residential Buildings  
Interim  
Energy Survey  
EIA-143



Single-time  
6,000 commercial establishments  
6,000 responses; 3,000 hours  
Hill, Jefferson B., 395-5867

# REVISIONS

## DEPARTMENT OF AGRICULTURE

Food and Nutrition Service  
Food Stamp Program—Performance  
Reporting System  
FNS 132, & 133  
On occasion  
State agencies  
1,061,646 responses; 564,028 hours  
Ellett, C. A., 395-6132

## DEPARTMENT OF JUSTICE

Law Enforcement Assistance Adminis-  
tration  
LEAP Assessment Instrument  
LEAA 5260, & 5261  
Single-time  
Educational institutions applying for  
LEAP funds  
1,100 responses; 3,300 hours  
Laverne V. Collins, 395-3214

# EXTENSIONS

## DEPARTMENT OF AGRICULTURE

Food and Nutrition Service  
Federal Review of State Agencies' QC  
System (Food Stamp)  
FNS (FS) 306  
Annually  
Food stamp participants, applicants, &  
State agencies  
7,325 responses; 25,208 hours  
Ellett, C. A., 395-6132

# EXTENSIONS

## DEPARTMENT OF AGRICULTURE

Food and Nutrition Service  
OC Statistical Sampling and Report-  
ing of Review Findings (Food  
Stamp)  
FNS 247-1, 247-2, 247-3, 248, & HB  
302  
Semi-annually  
State agencies  
2,430 responses; 3,545 hours  
Ellett, C. A., 395-6132  
Food and Nutrition Service  
Quality Control Review Schedule  
(Food Stamp)  
FNS 245, & HB 301  
On occasion  
Food stamp participants, applicants &  
State agencies  
154,450 responses; 1,053,100 hours  
Ellett, C. A., 395-6132

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Administration (Office of Ass't Sec'y)  
Application for Insurance Benefits  
and General Assignment  
FHA 2777, 2777A, & 2777B  
On occasion  
FHA approved mortgagees

5,000 responses; 2,500 hours  
Strasser, A., 395-6132

Administration (Office of Ass't Sec'y)  
Fiscal Data to Support Claim for In-  
surance Benefits  
FHA-2767

On occasion  
FHA approved mortgagees  
25,000 responses; 12,500 hours  
Strasser, A., 395-6132

DAVID R. LEUTHOLD,  
*Budget and Management Officer.*  
[FR Doc. 79-2285 Filed 1-22-79; 8:45 am]

# [8025-01-M]

## SMALL BUSINESS ADMINISTRATION

[License No. 09/09-0239]

### BRENTWOOD CAPITAL CORP.

#### Application for a License as a Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR Section 107.102(1979)) under the name of Brentwood Capital Corporation, 11661 San Vicente Boulevard, Los Angeles, California 90049, for a license to operate in the State of California as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended

(15 U.S.C. 661 et seq.)

The proposed officers, directors and principal stockholders are:

Timothy M. Pennington III, 1101 North Bundy Drive, Los Angeles, California 90049, President, Treasurer and Director.  
Berge K. Hagopian, 11048 Cashmere Street, Los Angeles, California 90049, Vice President, Secretary and Director.  
Frederic J. Warren, 12319 19th Helena Drive, Los Angeles, California 90063, Chairman of the Board of Directors.  
Brentwood Associates II, 11661 San Vicente Boulevard, Los Angeles, California 90049, 100%.

Brentwood Associates II (the applicant's parent) is a California limited partnership engaged in the business of venture capital investment. The voting securities of Brentwood Associates II are held by its three general partners who will be the three directors of the Applicant and its three officers. These three general partners will also be limited partners.

In addition to the three general partners and limited partners noted above, Brentwood Associates II has 15 other limited partners none of whom takes or is permitted to take any part in the management or control of the affairs or business of Brentwood Associates II. One of the limited partners has more than a ten percent partnership interest. They are: American Ex-

press Company, American Express Plaza, New York, New York 10004.

This request for a license also requires approval under § 107.702 (Common control) of the Regulations governing SBICs because Messrs. Hagopian, Pennington and Warren also control another SBIC, namely, Brentwood Associates, Inc., 11661 San Vicente Boulevard, Los Angeles, California 90049, as officers, directors and general partners of a California limited partnership (Brentwood Associates).

The company will begin operations with an initial capitalization of \$5,010,000. No concentration in any particular industry is planned. The applicant intends to make investments in small business concerns, with growth potential, located primarily within the State of California.

The new partnership with the same management and general partners is being formed because Brentwood Associates will soon be dissolved. The future status of Brentwood Associates, Inc., is undecided.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed owners and management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and Regulations.

Notice is further given that any interested person may, not later than February 7, 1979, Submit to SBA, in writing, relevant comments on the proposed company. Any communication should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street N.W., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in Los Angeles, California

Dated: January 11, 1979.

PETER F. McNEISH,  
*Deputy Associate Administrator  
for Investment.*

[FR Doc. 79-2252 Filed 1-22-79; 8:45 am]

# [8025-01-M]

## SMALL BUSINESS CONFERENCE COMMISSION

### White House Conference on Small Business

In accordance with Section 10(a) of the Federal Advisory Committee Act (5 USC appendix I), announcement is made of the following national commission meeting.

*Small Business Conference Commission,*  
February 13, 1979—9:00 a.m. to 1:00 p.m.,  
New Executive Office Building, Room



2010, 726 Jackson Place, N.W., Washington, D.C. 20506.

#### OPEN MEETING

**Purpose:** The Small Business Conference Commission was established by Executive Order to provide advice with respect to the holding of a White House Conference on Small Business in early 1980. In pursuit of the goal of a strong small business community, the Commission shall recommend issues to be considered by the conference including those related to fostering of small business and the expansion of opportunities for entry into small business enterprise. The Commission shall make recommendations for legislative and policy changes primarily based upon the findings of the White House Conference on Small Business.

**Agenda:** The Commission shall address the above issues in an introductory meeting.

**Contact:** Cynthia Howar, Commission Liaison, White House Conference on Small Business, 730 Jackson Place, N.W., Washington, D.C. 20506.

Please write before February 6, 1979, if you wish to attend this meeting. Attendance by the public will be limited to space available. Summaries of the transcripts of the meeting will be made available to the public upon request.

Dated: January 16, 1979.

K DREW,  
Deputy Advocate for Advisory  
Councils, U.S. Small Business  
Administration.

[FR Doc. 79-2253 Filed 1-22-79; 8:45 am]

[4910-62-M]

[4910-01-M]

#### DEPARTMENT OF TRANSPORTATION

Office of the Secretary

#### DEPARTMENT OF ENERGY

Office of the Secretary

[OST File No. 61; Notice 79-21]

#### NATIONAL ENERGY TRANSPORTATION STUDY

Public Meeting with Industry

**AGENCIES:** Department of Transportation (DOT) and Department of Energy (DOE).

**ACTION:** Notice of public meeting with industry.

**SUMMARY:** As part of the President's National Energy Plan, DOT and DOE are conducting a joint study to determine if the Nation's transportation system is adequate to accommodate the future energy needs of the United States. A meeting among representatives of DOT, DOE, and the petroleum industry will be held to discuss the capability of this industry to transport the energy materials that will be needed in the period 1985-2000. The public is invited to this meeting.

**DATE:** Thursday, January 25, 1979, 10 AM to 12 noon eastern time. The meeting will be held at DOT Headquarters (Nassif) Building, 400 Seventh Street, SW., Washington, D.C. 20590.

#### FOR FURTHER INFORMATION CONTACT:

Thomas E. Marchessault, Staff Member, National Energy Transportation Study (NETS), Office of Intermodal Transportation, DOT (202-426-4168). Since available space for the public is limited, those wishing to attend should contact Mr. Marchessault not later than the day before the meeting.

#### SUPPLEMENTARY INFORMATION:

By 1985 and beyond it appears likely that the Nation will experience numerous changes in the historical patterns of energy supply and demand which in turn will require changes in the way energy is transported. The changing energy patterns include dwindling domestic oil and natural gas production, regional shifts in supply and demand, and shifts in national and regional fuel use, including new energy sources.

The joint DOT-DOE study team will look at important aspects of the movement of coal, crude oil and petroleum products, natural gas, nuclear fuel, and electrical power to 1985 and beyond. This will be done to determine what adjustments are needed in the present transportation network.

In the first phase of the study, DOE is to select alternative national energy scenarios based on different assumptions about future energy supply and demand. These scenarios will be broken down into 173 geographical regions for the fuels listed above.

In the second phase of the study, DOT is to determine how energy would be moved from supply areas to energy-consuming areas by all modes of the transportation network. DOT will use the assistance of a computer model to compare the present capacity with future needs and identify potential bottlenecks.

In the third phase of the study, the joint study team is to examine a number of issues that may affect the transportation of energy. While the major emphasis of the study is transportation needs in 1985, the study team will also look at 1990 and 2000.

The final report is expected to identify constraints on the efficient transportation of energy and to recommend any Federal actions that may be necessary.

To gain the widest possible range of information and opinion concerning this undertaking, DOT and DOE have established an "open file" for the submission of comments from interested groups and individuals. (See 43 FR 38795; August 30, 1978.) To provide

more detailed information in certain areas, representatives of DOT and DOE will be holding a number of meetings with representatives of industries affected by the study. The one with petroleum industry representatives will be held from 10 AM to 12 noon eastern time Thursday, January 25, 1979, at DOT Headquarters (Nassif) building, 400 Seventh Street, SW., Washington, D.C.

The topic for discussion at this meeting will include the capability of the petroleum industry to transport increased amounts of energy materials.

This meeting will be open to the public on a space available basis. Anyone who wishes to attend should contact the NETS staff member identified above. There will be an opportunity at the conclusion of each meeting for the public to make comments. Minutes of each meeting will be available for public inspection and copying in the NETS open file in the office of the Assistant General Counsel for Regulation and Enforcement, room 10421, Department of Transportation Headquarters (Nassif) Building, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-4723), from 9 AM to 5:30 PM eastern time, Monday through Friday, except Federal holidays.

Issued in Washington, D.C. on January 16, 1979.

CHESTER DAVENPORT,  
Chairman, NETS, Assistant Secretary for Policy and International Affairs, Department of Transportation.

ALVIN ALM,  
Deputy Chairman, NETS, Assistant Secretary for Policy and Evaluation, Department of Energy.

[FR Doc. 79-2288 Filed 1-22-79; 8:45 am]

[4810-25-M]

#### DEPARTMENT OF THE TREASURY

Office of the Secretary

#### NEW AND ADJUSTED TRIGGER PRICES AND EXTRAS FOR IMPORTED STEEL MILL PRODUCTS

I am hereby announcing (1) new trigger base prices and "extras" for a wide variety of stainless steel wire products; (2) more complete coverage and additional "extras" for carbon wire products; and (3) an adjustment to the previously announced trigger price for continuous butt welded pipe.

Accordingly, a number of pages in the Steel Trigger Price Handbook are being reissued and additional pages added to reflect these actions.

Description of the trigger price mechanism may be found in the



## NOTICES

"background" to the final rulemaking which amended regulations to require the filing of a Special Invoice (SSSI) with all entries of imported steel mill products (43 FR 6065).

These base prices, extras, and adjustments are based upon information made available to the Treasury Department by the Japanese Ministry of International Trade and Industry, as well as other information available to the Department.

All of the trigger prices announced here will be used by the Customs Service to collect information at the time of entry on all shipments of the products covered which are exported after the date of publication of this notice. However, the following rules will be applied to entries of these products covered by contracts with fixed price terms concluded before the publication of this notice.

1. Contracts with fixed price terms between unrelated parties. If the exporter documents at or before the time of entry that the shipment is being imported under such a contract with an unrelated party, the entry will not trigger an investigation even if the sales price is below the trigger price, provided that product is exported on or before February 28, 1979. However, failure to initiate an investigation will not diminish the right of affected interested persons to file a complaint with respect to such imports under the established procedures of antidumping cases.

2. Contracts between related parties. If the importer documents at the time of entry that the shipment is to be resold to an unrelated purchaser in the United States under a contract with fixed price terms concluded before the publication of this notice,

the entry will not trigger an investigation even if the sales price is below the trigger price, provided the product is exported on or before February 28, 1979.

While these "grace period" sales will not as a rule trigger a self-initiated antidumping investigation, information concerning such sales will be kept as a part of the information in the Customs Service monitoring system and will be available in the event an antidumping petition is filed with respect to such products sold by that producer or the Treasury Department decides to self-initiate an antidumping investigation based in subsequent sales.

Dated: January 16, 1978.

ROBERT H. MUNDHEIM,

*General Counsel.*



[4110-02-C]

## TABLE OF PRODUCT ADDITIONS AND ADJUSTMENTS

AISI Category/T.P. HandbookAction

14 - 6 Continuous Buttwelded  
- 7 Standard Pipe

Base price revised upward \$22 based on recent Japanese submission including additional producers. Other Outside Diameter Weights and other specifications have been revised, as noted on page 14-7 (updated to First Quarter 1979).

16 - 9 Stainless Steel Wire  
- 10 " " "  
- 11 " " "  
- 12 " " "  
- 13 " " "  
- 14 " " "  
- 15, A, B, C, D, E, F,"

Complete revision of stainless steel wire trigger prices based on most recent Japanese submissions. Previous pages 16-9 through 16-15 are replaced.

16 - 22 Upholstery spring wire  
Automatic Coiling and  
Knotting Type

New Coverage

16 - 23 Mechanical spring wire  
ASTM A-227 and A-648

New Coverage

16 - 24 Oil tempered spring  
wire ASTM A-229

New Coverage

16 - 25 Carbon steel valve spring  
wire ASTM A-230

New Coverage

16 - 26 Automotive tire bead wire

New Coverage

16 - 27 Galvanized core wire for  
A.S.C.R. ASTM B-498 Class "A"

New Coverage

16 - 28 Field Fence ASTM A-116

New Coverage

14-6  
REV. JAN 1979

Continuous Butt Welded Standard Pipe  
2 3/8" P.E. Base

Category AISI 14

Tariff Schedule Number (s) 610.32 0.3¢/lb.

Base Price per Metric Ton \$350 1st Quarter

Charges to CIF	Ocean Freight	Handling	Interest
West Coast	See Freight	\$7	\$: 6
Gulf Coast	Table	5	8
Atlantic Coast		4	8
Great Lakes		4	10

Insurance 1% of base price + extras + ocean freight

Extras

A. Outside Diameter/Wall Thickness, including Black or Galvanized, Threaded and Coupled or Plain End.



Revised Jan, 1978  
1st Quarter  
14-7

BASE PRICE, INCLUDING O.D./WT., GALVANIZING, THREADED AND COUPLED EXTRAS

CONTINUOUS BUTT WELDED PIPE

AISI 14 TSUSA 610.32

DESCRIPTION	NOM. (INCHES)						O.D. (INCHES)			
	1/2	3/4	1	1 1/4	1 1/2	2	3/8	2 7/8	3 1/2	4
STD WEIGHT, BLK, PLAIN END	377	367	360	358	358	350	350	350	350	358
EX STRONG, BLK, PLAIN END	377	377	359	366	366	360	360	360	360	366
STD WEIGHT, GALV, PLAIN END	479	463	451	444	444	444	444	438	438	444
EX STRONG, GALV, PLAIN END	492	475	464	455	455	451	451	451	451	455
STD WEIGHT, BLK T AND C	418	405	390	387	387	380	380	380	380	392
EX STRONG, BLK T AND C	429	415	401	397	397	390	390	390	390	405
STD WEIGHT, GALV, T AND C	521	500	481	473	473	468	468	468	468	480
EX STRONG, GALV, T AND C	536	514	494	488	488	481	481	481	481	493
SPRINKLER PIPE (SCH. 10)	393	394	377	374	374	368	368	368	368	374



## STAINLESS STEEL WIRE T.P. SCHEDULES

## CATEGORY A.I.S.I. 16

Tariff Schedule Numbers 609-4510 and 609-4540  
10 1/2¢ + Additional Duties (See Headnote 4, T.S.U.S.)

## Sequence Guide

1. Annealed Wire - Group I
  - A. Grades and Base
  - B. Size Extras by Grade Group
2. Hard/Spring Wire - Group II
  - A. Grades and Base
  - B. Size Extras by Grade Group
3. Soft/Intermediate Wire - Group III
  - A. Grades and Base
  - B. Size Extras by Grade Group
4. Coating Extras
5. Finish Extras
  - A. Centerless Ground
  - B. Centerless Ground and Polished
6. Tolerance Extras
7. Straightening and Cut to Length Extras
8. Packaging Extras
9. Schedule for ocean freight, handling, interest, and insurance.

These pages replace 16-9 through 16-15 plus additional pages -  
16-15A through 16-15D

NOTE: All Stainless Steel Wire product trigger prices on  
p. 16-9 through 16-15F are 1st Quarter 1979 prices.

## GROUP I - ANNEALED WIRE

Annealed: The condition of soft wire in which there is no further cold drawing after the last annealing treatment. Wire of this temper is made by annealing in open fired furnaces or molten salt followed by pickling, which produces a clean gray matte finish. It is also made with a bright finish by annealing wet, oil or grease drawn wire in a protective atmosphere, and is sometimes described as bright annealed wire.

Grades	Dollar per MT Size Extras
301	2073
302	2018
303	2128
304	2073
305	2266
310	4057
314	4829
316	2734
316-L	2927
317	3286
317-L	3479
304-L	2266
17-4PH *	2431
308	2238
308-L	2431
309	2845
309-L	3038
321	2431
312	Not Available
302 HQ (18-19LW) **	2211
347	2789
384	2734
15-5PH ***	Not Available
409	1588
410	1257
416	1224
420	1312
430	1312
430-F	1533
434	1422
434-A	1422
446	1918

\* May also be designated as type 630 or as UNS 17400

\*\* May also be designated as type 302 CU and as 306

\*\*\* May also be designated as type XM12 and UNS 15500



16-12  
REV. JAN, 1979

## GROUP I - ANNEALED WIRE (Continued)

Size*	Dollar per MT Size Extras		
	300 Series & 17-7PH	400 Series	17-4PH 15-5PH
.014"	2699	Not Available	2699
.013"	2815	"	2815
.012"	2937	"	2937
.011"	3053	"	3053
.010"	3332	"	3332
.009"	3460	"	3460
.008"	3617	"	3617
.0075"	3779	"	3779
.007"	3953	"	3953
.0065"	4360	"	4360
.006"	4824	"	4824
.00575"	5288	"	5288
.0055"	5753	"	5753
.00525"	6682	"	6682
.005"	6856	"	6856
.00475"	6972	"	6972
.0045"	7204	"	7204
.00425"	7843	"	7843
.004"	8423	"	8423
.00375"	17711	"	17711
.0035"	21136	"	21136
.00325"	24155	"	24155
.003"	27173	"	27173
.0027"	28161	"	28161
.0025"	29322	"	29322
.002"	38029	"	38029

\*All intermediate sizes to take next higher price.

16-11  
REV. JAN, 1979

## GROUP I - ANNEALED WIRE (Continued)

Size*	Dollar per MT Size Extras		
	300 Series & 17-7PH	400 Series	17-4PH 15-5PH
.703"-.574"	204	523	204
.693"-.501"	204	523	204
.500"	221	523	221
.499"-.375"	239	523	239
.3125"-.374"	256	523	256
.250"-.312"	343	523	343
.234"-.249"	389	523	389
.216"-.233"	442	563	442
.200"-.215"	610	610	610
.185"-.199"	627	639	627
.170"-.184"	644	644	644
.155"-.169"	656	697	656
.142"-.154"	674	825	674
.128"-.141"	703	953	703
.113"-.127"	784	1051	697
.099"-.112"	906	1144	731
.086"-.098"	993	1214	761
.076"-.085"	1051	1283	796
.067"-.075"	1109	1347	964
.058"-.066"	1214	1394	1126
.051"-.057"	1266	1440	1179
.044"-.050"	1318	1487	1231
.038"-.043"	1434	1533	1347
.033"-.037"	1556	1707	1469
.030"-.032"	1620	1823	1620
.027"-.029"	1777	Not Available	1957
.024"-.026"	1928	"	1928
.021"-.023"	2079	"	2084
.019"-.020"	2230	"	2230
.018"	2375	"	2375
.017"	2410	"	2410
.016"	2450	"	2450
.015"	2566	"	2566

\*All intermediate sizes to take next higher price.



## GROUP II - HARD/SPRING WIRE

Hard/Spring: A condition of wire drawn several drafts as required to produce the high tensile strengths required for such products as spring wire.

Grades	Dollar per MT Wire Base Price
301	2073
302	2018
303	2128
304	2073
305	2266
310	4057
314	4829
316	2734
316-L	2927
317	3286
317-L	3662
321	2431
17-4PH *	2431
17-7PH ****	3175
330	Not Available
308	2238
308-L	2431
309	2845
309-L	3038
312	Not Available
302 HQ (18-9LW) **	2211
347	2789
384	2734
15-SPH ***	Not Available
409	1588
410	1257
416	1224
420	1312
430	1312
430-F	1533
434	1422
434-A	1422
446	1918

\* May also be designated as Type 630 or as UNS 17400

\*\* May also be designated as Type 302 CU and 306

\*\*\* May also be designated as Type XM-12 and UNS 15500

\*\*\*\* May also be designated as Type 631 and UNS-17700

## GROUP II - HARD/SPRING WIRE (Continued)

Size*	Dollar per MT Size Extras 300 Series & 17-7PH	400 Series Not Available
Over .375"	679	
.3125"-.374"	679	"
.250"-.312"	679	"
.234"-.249"	679	"
.216"-.233"	679	"
.200"-.215"	679	"
.185"-.199"	679	"
.170"-.184"	679	"
.155"-.169"	679	"
.142"-.154"	656	"
.128"-.141"	656	"
.113"-.127"	656	"
.099"-.112"	691	"
.086"-.098"	766	"
.076"-.085"	824	"
.067"-.075"	894	"
.058"-.066"	993	"
.051"-.057"	1196	"
.044"-.050"	1376	"
.038"-.043"	1451	"
.033"-.037"	1591	"
.030"-.032"	1666	"
.027"-.029"	2009	"
.024"-.026"	2194	"
.021"-.023"	2415	"
.019"-.020"	2705	"
.018"	3268	"
.017"	3559	"
.016"	3646	"
.015"	3733	"
.014"	3907	"
.013"	4052	"
.012"	4342	"

\*All intermediate sizes to take next higher price.



16-15  
REV. JAN, 197916-15A  
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## GROUP II - HARD/SPRING WIRE (Continued)

Size*	Dollar per MT Size Extras	
	300 Series # 17-7PH	400 Series
	5556	Not Available
.011"	5701	"
.010"	5933	"
.009"		
.008"	6130	"
.007"	Under Review	"
.0065"	"	"
.006"	"	"
.00575"	"	"
.0055"	"	"
.00525"	"	"
.005"	"	"
.00475"	"	"
.0045"	"	"
.00425"	"	"
.004"	"	"
.00375"	"	"
.0035"	"	"
.00325"	"	"
.003"	"	"
.0027"	Not Available	"
.0025"	"	"
.002"	"	"

\*All intermediate sizes to take next higher price.

## GROUP III - SOFT/INTERMEDIATE WIRE

Soft/Intermediate: A condition of wire drawn one or more drafts after annealing as required to produce minimum strength or hardness. The properties of such wire can be varied between those of soft temper and those approaching spring temper wire. Wire in this temper is usually produced in a variety of dry drawn tempers. Cold heading wire, by example, belongs in this group.

Grades	Dollar per MT	
	Wire	Base Price
301	2073	
302	2018	
302 (302HQ, 18-9LW)	2211	
303	2128	
304	2073	
305	2266	
310	4057	
314	4829	
316	2734	
316-L	2927	
317	3286	
317-L	3479	
321	2431	
17-4PH *	2431	
330	Not Available	
308	2238	
308-L	2431	
309	2845	
309-L	3038	
312	Not Available	
347	2789	
384	2734	
15-5PH **	Not Available	
409	1388	
410	1257	
416	1224	
420	1312	
430	1312	
430-F	1533	
434	1422	
434-A	1422	
446	1918	

\* May also be designated as Type 630 or as UNS 17400

\*\* May also be designated as Type XM12 or as UNS 15500



## GROUP III - SOFT/INTERMEDIATE WIRE (Continued)

Size*	Dollar per MT Size Extras		
	300 Series 5.17-7PH	400 Series	17-4PH & 15-5PH
Over .375"	459	319	459
.3125"-.374"	459	319	459
.250"-.312"	459	331	459
.234"-.249"	459	354	459
.216"-.233"	459	377	459
.200"-.215"	459	406	459
.185"-.199"	569	435	569
.170"-.184"	598	459	598
.155"-.169"	627	499	627
.142"-.154"	650	563	650
.128"-.141"	702	673	702
.113"-.127"	842	749	842
.099"-.112"	923	853	923
.086"-.098"	975	882	975
.076"-.085"	1086	935	1086
.067"-.075"	1196	1022	1196
.058"-.066"	1306	1242	1306
.051"-.057"	1353	1469	1353
.044"-.050"	1405	1515	1405
.038"-.043"	1527	1573	1527
.033"-.037"	1620	1759	1620
.030"-.032"	1730	1875	1730
.027"-.029"	1887	Not Available	1887
.024"-.026"	2038	"	2038
.021"-.023"	2194	"	2194
.019"-.020"	2339	"	2339

\*Intermediate sizes to take next higher price.

## COATING EXTRAS

Material provided uncoated or coated with lime (or equivalent to lime) and/or soap will carry no extra. Other coatings require an appropriate extra where additional costs are involved.

Metallic coatings include copper, nickel and lead. Non-metallic coatings include plastics, molybdenum disulfide, etc.

Size Range	Type of Coating		
	Oxide	Metallic	
		Copper	Nickel
Over .155"	None	116	35
.154"-.099"	"	174	35
.098"-.063"	"	232	47
.062"-.041"	"	Not Available	72
.040"-.030"	"	"	99
.029"-.025"	"	"	99
.024"-.020"	"	"	135
.019"-.015"	"	"	177
.014"-.010"	"	"	210



FINISH EXTRAS

Centerless Ground	Centerless Ground and Polished
300 Series, 17-7PH, 400 Series, 17-4PH, & 15-5PH	300 Series, 17-7PH, 400 Series, 17-4PH, & 15-5PH
Size Range*	
.703"-.595"	627
.594"-.501"	627
.500"	697
.499"-.375"	720
.374"-.3125"	720
.3124"-.250"	720
.249"-.234"	1051
.233"-.216"	1051
.215"-.200"	1167
.199"-.185"	1353
.184"-.170"	1567
.169"-.155"	1846
.154"-.142"	2107
.141"-.128"	2432
.127"-.113"	3001
.112"-.093"	6078

\*All intermediate sizes to take next higher price.

17-4PH to be included in 400 series.

Straightening and cut to length extras are already included in the above finish extras in case of centerless ground or centerless ground and polished.

TOLERANCE EXTRAS

Standard: AISI or JIS Specification

Diameter Tolerance	\$/MT
Standard	0
Not less than 1/2 standard	\$116
Closer than 1/2 to 1/4 standard	25% of size extra
Closer than 1/4 standard	50% of size extra

Straightening and Cut to Length Extras

Size Range	Dollar per MT
.703"-.595"	104
.594"-.501"	104
.500"	104
.499"-.375"	131
.374"-.3125"	131
.3124"-.170"	236
.169"-.099"	590
.098"-.051"	1706
.050"-.032"	1968

Dollar per MT

Length	Dollar per MT
Under 12"	92
12" to under 18"	59
18" to under 24"	59
24" to under 30"	39
30" to under 36"	39
36" to under 48"	39
48" to under 60"	39
60" to under 72"	39
72" to under 120"	33
120" to under 168"	33
168" to under 192"	33
192" to under 216"	33
216" to under 240"	33
240" to under 264"	26
264" to under 288"	26
288" to 316"	26

Packaging Extras

Type	Dollar per MT
Bundle	29
Wooden Boxes	87
Fibre Drums	87
Coil Carriers	29
Spools	145



Stainless Wire (Continued)

Category 16  
Tariff Schedule Nos. 609.4510 and  
609.4540

	Ocean Freight	Handling	Interest Factor
West Coast	93	7	1.8%
Gulf Coast	109	5	2.4%
East Coast	109	4	2.4%
Great Lakes	142	4	2.9%

Interest charge equals F.O.B. price including size  
extra times interest factor.

Insurance at 1% of base plus extras plus ocean freight.

UPHOLSTERY SPRING WIRE AUTOMATIC COILING AND KNOTTING TYPE

Category A.I.S.I. 16  
Tariff Schedule Number 609.4315 8.5%  
1st Quarter

Base Price Per Metric Ton \$487

Charges to C.I.F.\*

	Ocean Freight	Handling	Interest
West Coast	\$38	\$7	\$ 9
Gulf Coast	47	5	12
Atlantic Coast	49	4	12
Great Lakes	62	4	14

Insurance 1% of Base Price + Extras + Ocean Freight

Extras

1. Size Extra

Size (Inches)	\$ Per Metric Ton
0.191 - 0.135	Base
0.134 - 0.105	9
0.104 - 0.080	13
0.078 - 0.062	24

\*Tramper Rate



MECHANICAL SPRING WIRE A.S.T.M. A-227 AND A-648

Category A.I.S.I. 16  
Tariff Schedule Numbers 609.4305 8.5%  
609.4315 8.5%

Base Price Per Metric Ton \$513

Class 1 and 2

Charges to C.I.F.

	Ocean Freight	Handling	Interest
West Coast	\$38	\$7	\$ 9
Gulf Coast	47	5	12
Atlantic Coast	49	4	12
Great Lakes	62	4	15

Insurance 1% of Base Price + Extras + Ocean Freight

Extras

1. Processing Extra Class 3 \$2/M.T.

2. Size Extra

Size (Inches)	\$ Per Metric Ton		
	class 1 and 2	class 3	
0.625" - 0.437"	10	10	
0.436" - 0.192"	-2	-2	
0.191" - 0.135"	Base	Base	
0.134" - 0.105"	7	7	
0.104" - 0.080"	22	22	
0.079" - 0.062"	34	34	

\* Ocean Freight Represents Trumper Rate

OIL-TEMPERED STEEL SPRING WIRE A.S.T.M. A-229

Category A.I.S.I. 16

Tariff Schedules 609.4055 8½%  
609.4305 8½%  
609.4315 8½%

Base Price Per Metric Ton \$516 MB Grade

Charges to C.I.F.

	Ocean Freight	Handling	Interest
	Trumper	Container	
West Coast	\$38	\$ 88	\$10
Gulf Coast	47	100	12
Atlantic Coast	49	100	12
Great Lakes	62	102	15

Insurance 1% of Base Price + Extras + Ocean Freight

Extras

1. Processing Extra  
HB Grade \$22

2. Size Extra

Size (Inches)	\$ Metric Ton	
	M.B.	N.B.
0.625" - 0.437"	10	10
0.436" - 0.192"	4	4
0.191" - 0.135"	Base	Base
0.134" - 0.105"	19	19
0.104" - 0.080"	46	46
0.079" - 0.062"	64	64
0.061" - 0.054"	72	72
0.053" - 0.042"	81	81
0.041" - 0.037"	95	95
0.036" - 0.0348"	150	150

Wires 0.625" through 0.054" shipped by Trumper

Wires 0.053" through 0.0348" shipped by container vessels



CARBON STEEL VALVE SPRING QUALITY WIRE A.S.T.M. A-230

Category A.I.S.I. 16

Tariff Schedules 609.4305 8.5%  
609.4315 8.5%

Base Price Per Metric Ton \$859

Charges to C.I.F.

	Ocean Freight	Handling	Interest
West Coast	\$ .88	\$7	\$16
Gulf Coast	100	5	20
Atlantic Coast	100	4	20
Great Lakes	102	4	25

Insurance 1% of Base + Extras + Ocean Freight

Extras

1. Size Extra

Size (Inches)	\$ Per Metric Ton
0.311 - 0.250	\$ 90
0.2499 - 0.207	55
0.2069 - 0.192	11
0.1919 - 0.162	Base
0.161 - 0.1483	25
0.1482 - 0.135	47
0.134 - 0.1205	85
0.1204 - 0.1055	143
0.1054 - 0.0915	207
0.0914 - 0.090	266

Ocean Freight - Container Vessel

AUTOMOBILE TIRE BEAD WIRE 0.037"

Category A.I.S.I. 16

Tariff Schedule 609.4065 8.5%

Base Price Per Metric Ton \$602

Charges to C.I.F.

	Ocean Freight	Handling	Interest
West Coast	\$ 91	\$7	\$11
Gulf Coast	101	5	14
Atlantic Coast	101	4	14
Great Lakes	103	4	17

Insurance 1% of Base Price + Extras + Ocean Freight

Ocean Freight Represents Container Vessel

NOTICES

4779



GALVANIZED CORE WIRE FOR A.S.C.R. A.S.T.M. B-498  
CLASS "A"

Category A.I.S.I. 16

Tariff Schedule Number 609.4365 8.5%

Base Price Per Metric Ton \$642

Charges to C.I.F.

	Ocean Freight	Handling	Interest
West Coast	\$50	\$7	\$12
Gulf Coast	53	5	15
Atlantic Coast	55	4	15
Great Lakes	65	4	19
Insurance 1% of Base Price + Extras + Ocean Freight			
Extras			

1. Size Extra

Size (Inches)

0.1878 - 0.1410	\$ 12
0.1409 - 0.1210	Base
0.1209 - 0.1055	12
0.1054 - 0.0915	35
0.0914 - 0.0860	47
0.0859 - 0.0800	71
0.0799 - 0.0720	101
0.0719 - 0.0661	165

Ocean Freight Represents Trumper Rate

FIELD FENCE A.S.T.M. A-116

Category A.I.S.I. 19

Tariff Schedule Number 642.3570 0.1¢ per lb.

Base Price Per Metric Ton \$587

# 11 Gauge Galvanized Wire

Charges to C.I.F.

	Ocean Freight	Handling	Interest
West Coast	\$ 42	\$7	\$11
Gulf Coast	50	5	14
Atlantic Coast	55	4	14
Great Lakes	60	4	17
Extras			

Size Extra

\$ Metric ton

Filler Wire Size	Stay Wire Spacing
#11	6" 12"
#12½	Base - \$ 3
	16 13

Ocean Freight Represents Trumper Rate

[FR Doc. 79-2175 Filed 1-22-79; 8:45 am]



[8320-01-M]

## VETERANS ADMINISTRATION

COOPERATIVE STUDIES EVALUATION  
COMMITTEE

## Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463 that a meeting of the Cooperative Studies Evaluation Committee, authorized by 38 USC 4101, will be held at the Holiday Inn—Airport Lakes, 1101 NW 57th Avenue, Miami, Florida, on February 12 and 13, 1979. The meeting will be for the purpose of reviewing proposed cooperative studies and advising the Veterans Administration on the relevance and feasibility of the studies, the adequacy of the protocols, the scientific validity and the propriety of technical details, including involvement of human subjects. The Committee advises the Director, Medical Research Service, through the Chief of the Cooperative Studies Program, on its findings.

The meeting will be open to the public up to the seating capacity of the room from 8 to 8:30 a.m., February 12 and 13 to discuss the general status of the program. To assure adequate accommodations, those who plan to attend should contact Dr. James A. Hagans, Coordinator of the Committee, Veterans Administration Central Office, Washington, DC. (202-389-3702) prior to January 26.

The meeting will be closed from 8:30 a.m. to 5:00 p.m., on February 12 and 8:30 to 1:00 p.m. on February 13 for consideration of specific proposals in accordance with provisions set forth in Subsection 10(d) of Public Law 92-463, as amended by Public Law 94-409, and Subsection 552b(c)(6) of Title 5, United States Code. During this portion of the meeting, discussion and decisions will deal with qualifications of personnel conducting the studies and the medical records of patients who are study subjects, the disclosure of which would constitute a clearly unwarranted invasion of person privacy.

Dated: January 17, 1979.

By direction of the Administrator.

RUFUS H. WILSON,  
Deputy Administrator.

[FR Doc. 79-2273 Filed 1-22-79; 8:45 am]

[7035-01-M]

INTERSTATE COMMERCE  
COMMISSION

[Notice No. 121]

## ASSIGNMENT OF HEARINGS

JANUARY 18, 1979.

Cases assigned for hearing; postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 120257 (Sub-41), K. L. Breeden & Sons, Inc., now assigned for hearing on January 25, 1979, at Birmingham, Alabama, is postponed indefinitely.

MC-F 13566, George W. Kugler, Inc.,—Purchase (Portion)—Fischbach Trucking Co., No. MC-125533, (Sub-No. 23F), George W. Kugler Inc., now assigned for hearing on March 1, 1979, (2 days), at Columbus, Ohio in a hearing room to be later designated.

MC 114632 (Sub-179F), Apple Lines, Inc., now assigned for hearing on February 26, 1979, (1 day), in Room B-44, Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota.

MC 118159 (Sub-280F), National Refrigerated Transport, Inc., now assigned February 9, 1979, at Washington, DC., is postponed indefinitely.

MC 114632 (Sub-171F), Apple Lines, Inc., now assigned February 27, 1979, (1 day), in Room B-44, Federal Building & U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minnesota.

MC 4943 (Sub-36F), Central Express, Inc., now being assigned continued hearing January 29, 1979, (2 weeks), in the Ramada Inn., 33 N.W. Loop 410, San Antonio, Texas.

MC 134477 (Sub-241F), Schanno Transportation, Inc., now assigned February 26, 1979, at St. Paul, Mn., is postponed indefinitely.

H. G. HOMME, JR.,  
Secretary.

[FR Doc. 79-2308 Filed 1-22-79; 8:45 am]

[7035-01-M]

[Released Rate Application No. 1934]

## BANGOR AND AROOSTOOK RAILROAD CO.

AGENCY: Interstate Commerce Commission.

ACTION: Notice. Released Rate Application No. 1934.

SUMMARY: The Bangor and Aroostook Railroad Company wants author-

ity to publish joint rail-motor commodity rates on toilet preparations, NOIBN; viz: cologne or toilet water, from Madawaska, Maine to Taunton, Massachusetts released to a value not exceeding 50 cents per pound. The net effect will be to limit the carriers' liability for any cologne or toilet water they may lose or damage to 50 cents per pound.

ADDRESSES: Anyone seeking copies of this application should contact: Mr. Hugh G. Goodness, General Freight Traffic Manager, Bangor and Aroostook Railroad Company, Northern Maine Junction Park, R. R. 2, Bangor, Maine 04401, telephone (207) 848-5711.

FOR FURTHER INFORMATION  
CONTACT:

Max Pieper, Bureau of Traffic, Interstate Commerce Commission, Washington, D.C. 20423 telephone (202) 275 7553.

SUPPLEMENTARY INFORMATION: Relief is sought from 49 U.S.C. 10730, formerly Section 20(11) of the Interstate Commerce Act for and on behalf of carriers parties to Bangor and Aroostook Tariff I.C.C. 4477.

H. G. HOMME, JR.,  
Secretary.

[FR Doc. 79-2307 Filed 1-22-79; 8:45 am]  
CAPTAIN. McDONOUGH.

[7035-02-M]

[Notice No. 150]

## MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 23, 1979.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 CFR Part 1132:

MC-FC 77985. By application filed January 3, 1979, LAWRENCE McKENZIE TRUCKING Service, Inc., Route 5, Box 111, Winchester, KY 40391, seeks temporary authority to transfer the operating rights of LAWRENCE McKENZIE, AN INDIVIDUAL PROPRIETORSHIP, d/b/a McKENZIE TRUCKING SERVICE, Route 5, Box 111, Winchester, KY 40391, under section 210a(b). The transfer to LAWRENCE McKENZIE TRUCKING SERVICE, INC., of the operating rights of LAWRENCE McKENZIE, AN INDIVIDUAL PROPRIETORSHIP, d/b/a McKENZIE TRUCKING SERVICE, is presently pending.

MC-FC 77991. By application filed January 4, 1979, TIGHE TRUCKING, INC., 45 Holton St., Winchester, MA 01890, seeks temporary authority to transfer a portion of the operating



rights of GRINGERI BROS. TRANSPORTATION CO., INC., (M. G. Sherman, Trustee in Bankruptcy), c/o M. G. Sherman, 18 Tremont Street, Boston, MA 02108, under section 210a(b). The transfer to TIGHE TRUCKING, INC., of a portion of the operating rights of GRINGERI BROS. TRANSPORTATION CO., INC., (M. G. Sherman, Trustee in Bankruptcy) c/o M. G. SHERMAN, is presently pending.

MC-FC 77997. By application filed December 28, 1978, ODEAN DUANE BAKKEN, AN INDIVIDUAL, d/b/a BAKKEN TRUCK LINE, Northwood, IA 50459, seeks temporary authority to transfer a portion of the operating rights of KATUIN BROS. INC., Highway 61 South, P.O. Box 311, Fort Madison, IA 52627, under section 210a(b). The transfer to ODEAN DUANE BAKKEN, AN INDIVIDUAL, d/b/a BAKKEN TRUCK LINE, of a portion of the operating rights of KATUIN BROS. INC., is presently pending.

By the Commission.

H. G. HOMME, Jr.  
Secretary.

[FR Doc. 79-2306 Filed 1-22-79; 8:45 am]

[7035-01-M]

[Notice No. 5 TA]

**MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS**

JANUARY 8, 1978.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest

shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

NOTE.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

**MOTOR CARRIERS OF PROPERTY**

MC 56270 (Sub-17TA), filed November 30, 1978. Applicant: LEICHT TRANSFER & STORAGE CO., 1401—55 State Street, P.O. Box 2385, Green Bay, WI 54306. Representative: Dennis L. Sedlacek (same as above). *Welders, welder parts and materials, equipment and supplies used in the manufacture and distribution of welders and welder parts*, between Appleton, WI on the one hand, and on the other Dallas and Houston, TX; Atlanta, GA; Kansas City, MO and Philadelphia, PA, for 180 days.

SUPPORTING SHIPPER(S): Miller Electric Mfg. Co., 718 S. Bound Street, P.O. Box 11079, Appleton, WI 54912. SEND PROTESTS TO: Gail Daugherty, ICC, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

MC 63792 (Sub-33TA), filed November 30, 1978. Applicant: TOM HICKS TRANSFER CO., INC., 710 N. Post Oak Road, Houston, TX 77022. Representative: C. W. Ferebee (same as above). *OILFIELD EQUIPMENT*, from Shreveport, LA to points in TN, VA and WV, for 180 days. SUPPORTING SHIPPER(S): Tri-State Oil Tool Co., 2570 E. Tx., Bossier City, LA 71111. SEND PROTESTS TO: John F. Mensing, 8610 Federal Building, 515 Rusk Avenue, Houston, TX 77002.

MC 71652 (Sub-24TA), filed November 29, 1978. Applicant: BYRNE TRUCKING, INC., 4669 Crater Lake Highway, P.O. Box 280, Medford, OR 97501. Representative: William D. Taylor, 100 Pine Street—Suite 2550, San Francisco, CA 94111. *Aluminum plate and sheet*, from the plant site of the Kaiser Aluminum and Chemical Corporation, Trentwood Mill, at or near Spokane, WA, to points in Los Angeles, Orange, San Bernadino, San Francisco, Contra Costa, Alameda, Solano, and Santa Clara Counties, CA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Kaiser Aluminum and Chemical Corporation, 300 Lakeside

Drive, Oakland, CA 94643. SEND PROTESTS TO: A. E. Odoms, ICC, 114 Pioneer Courthouse, 555 S. W. Yamhill Street, Portland, OR 97204.

MC 87103 (Sub-28TA), filed December 4, 1978. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 6077, Akron, OH 44312. Representative: Edward P. Bocko, P.O. Box 6077, Akron, OH 44312. *Machines, machinery, plant equipment and supplies and commodities requiring special handling or rigging*, from Ravenna, OH, to Denison, TX, Long Beach and Stockton, CA, and Green Cove Springs, FL, for 180 days. SUPPORTING SHIPPER(S): Johns Manville Sales Corp., Ken Caryl Road, Denver, CO 80217. SEND PROTESTS TO: Mary Wehner Trans. Specialist, 731 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

MC 95920 (Sub-54TA), filed December 4, 1978. Applicant: SANTRY TRUCKING CO., 10505 NE, 2nd Avenue, Portland, OR 97211. Representative: Geo. R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Bottled mineral water*, from Santa Rosa, CA, to points in Oregon and Washington, under a continuing contract or contracts, with Sante' Mineral Waters, Inc., for 180 days. SUPPORTING SHIPPER(S): Sante' Mineral Waters, Inc., 55 College Avenue, Santa Rosa, CA 95401. SEND PROTESTS TO: A. E. Odoms DS, ICC, 114 Pioneer Courthouse, Portland, OR 97204.

MC 102616 (Sub-970TA), filed November 28, 1978. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massillon Road, Akron, OH 44313. Representative: David F. McAllister, 250 North Cleveland-Massillon Road, Akron, OH 44313. *Liquid chemicals*, NOI, (in bulk, in tank vehicles), from Plaquemine, LA, to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia and WV., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): Dow Chemical Company, Building 3302, Plaquemine, LA 70764. SEND PROTESTS TO: Mary Wehner DS, ICC, 731 Federal Office Building, 1240 East Ninth Street, Cleveland, OH 44199.

MC 103066 (Sub-76 TA), Filed December 1, 1978. Applicant: STONE TRUCKING COMPANY, INC., 4927 S. Tacoma, P.O. Box 2014, Tulsa, OK 74107. Representative: C. L. Phillips, 1411 N. Classen, Oklahoma City, OK 73106. *Meat and meat products*, from Omaha, NE., to points in CA, for 180



days. An underlying ETA seeks up to 90 days of authority. SUPPORTING SHIPPER(S): Armour Fresh Meat Company, 111 W. Clarendon, Phoenix, AZ 85077. SEND PROTESTS TO: Connie Stanley Trans. Asst., Room 240 Old Post Office Building, 215 NW, Third Street, Oklahoma City, OK 73102.

MC 106401 (Sub-60 TA), Filed November 28, 1978. Applicant: JOHN-SON MOTOR LINES, INC., P.O. Box 31577, 2426 North Graham Street, Charlotte, NC 28231. Representative: Thomas G. Sloan, P.O. Box 31577, Charlotte, NC 28231. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Madison Furniture, Co., at or near Canton, MS, as an off-route point in connection with applicant's existing regular-route authority between Atlanta, GA, and Ft. Worth, TX, restricted to traffic moving to, from, or through Atlanta, GA, for 180 days. An underlying ETA seeks up to 90 days authority.

SUPPORTING SHIPPER(S): Madison Furniture Company, P.O. Box 11, Canton, MS 39046. SEND PROTESTS TO: Terrell Price DS, 800 Briar Creek Road, Room CC 516, Mart Office Building, Charlotte, NC 28205.

MC 106674 (Sub-354 TA), Filed December 5, 1978. Applicant: SCHILLI MOTOR LINES, INC. P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. Representative: Jerry L. Johnson, P.O. Box 123, U.S. Highway 24 West, Remington, IN 47977. *Glass containers*, from Thatcher Glass Manufacturing Company at Streator, IL, to Byhalia, MS, for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): Thatcher Glass Manufacturing Co., Division of Dart Industries, P.O. Box 265, Elmira, NY 14902. SEND PROTESTS TO: J. H. Gray DS, ICC, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

MC 109584 (Sub-185TA), Filed December 1, 1978. Applicant: ARIZONA PACIFIC TANK LINES, P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (Same address as applicant). *Urea resin* (in bulk, in tank vehicles), from Fremont and Ukiah, CA, to Navajo, NM, for 180 days. An underlying ETA seeks up to 90 days authority.

SUPPORTING SHIPPER(S): Navajo Forest Products Industries, P.O. Box 1280, Navajo, NM 87328. SEND PROTESTS TO: Roger L. Buchanan DS, ICC, 721 19th Street,

492 U.S. Customs House, Denver, CO 80202.

MC 109633 (Sub-39 TA), filed December 1, 1978. Applicant: ARBET TRUCK LINES, INC., 222 East 135th Place, Chicago, IL 60627. Representative: Arnold L. Burke, 180 N. LaSalle Street, Suite 3520, Chicago, IL 60601. *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and feed business houses, between Clinton, IA and Davenport, IA, on the one hand, and points in the states of Indiana, Michigan and OH., on the other, for 180 days. SUPPORTING SHIPPER(S): L. N. Brown Coordinator, Motor Transportation, Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. SEND PROTESTS TO: Lois M. Stahl Trans. Asst., 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 111401 (Sub-536TA), filed November 29, 1978. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 632, Enid, OK 73701. Representative: Victor R. Comstock (Same as above). *Flour*, in bulk, in tank vehicles, from Fargo, ND to Pittsburg, KS, for 180 days. SUPPORTING SHIPPER(S): Junge Baking Company, 1810 Main, Joplin, MO 64801. SEND PROTESTS TO: Connie Stanley, ICC, Room 240 Old Post Office and Court House Building, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 113024 (Sub-157 TA), filed November 28, 1978. Applicant: A. J. WILLIAMS, INC., 1398 S. Du Pont Highway, Smyrna, DE 19977. Representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, DC 20005. Authority sought to operate as a *contact carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic yarn*, from Salisbury and Siler City, NC., and Elizabethtown, TN., to McCook and Alliance, NE.; and (2) *Rubber hose*, from McCook, NE., to Waynesville, NC, transportation to be performed under a continuing contract or contracts, with Electric Hose & Rubber Co., Wilmington, DE., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): Fred H. Evick, Electric Hose & Rubber Co., P.O. Box 910, Wilmington, DE 19899. SEND PROTESTS TO: William L. Hughes Trans. Asst., ICC, 1025 Federal Building, Baltimore, MD 21201.

MC 113666 (Sub-142TA), filed November 28, 1978. Applicant: FREEDPORT TRANSPORT, INC., 1200 Butler Road, Freeport, PA 16229. Representative: D. R. Smetanick (Same as above). *Modular panels, television backs, basketball backboards, crib bottoms, and materials and supplies used in the manufacture of modular panels, television backs, basketball back-*

*boards, and crib bottoms*, between Frankfort, IN on the one hand, and, on the other, points in the states of AL, AR, CA, GA, IL, IA, IN, KY, LA, MI, MN, MO, NY, OH, PA, SC, TN, TX, VA and WI, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Harme-son Manufacturing Co., Inc., 509 W. Barner Street, Frankfort, IN 46041. SEND PROTESTS TO: John J. England, ICC, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

MC 114301 (Sub-101 TA), filed December 1, 1978. Applicant: DELAWARE EXPRESS CO., P.O. Box 97, Elkton, MD 21921. Representative: Maxwell A. Howell, 1511 K. Street, N.W. Washington, DC 20005. *Liquid fertilizer*, (in bulk, in tank trucks), from Seaford, DE., to points in Maryland, Virginia and DE., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): R. R. Whipple Supervisor-Traffic, Allied Chemical Corporation, P.O. Box 2120, Houston, TX 77001. SEND PROTESTS TO: William L. Hughes Trans. Specialist, ICC, 1025 Federal Bldg., Baltimore, MD 21201.

MC 115331 (Sub-474TA), filed November 30, 1978. Applicant: TRUCK TRANSPORT INCORPORATED, 29 Clayton Hills Lane, St. Louis, MO 63131. Representative: J. E. Ferris, 11040 Manchester Road, St. Louis, MO 63131. *Plastic bottles*, in truckload quantity, from Terre Haute, IN to Fort Madison, IA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Hercules Incorporated, 814 Commerce Drive, Oak Brook, IL 60521. SEND PROTESTS TO: P. E. Binder, ICC, Room 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 117786 (Sub-38TA), filed November 30, 1978. Applicant: RILEY WHIT-TLE, INC., P.O. Box 19038, Phoenix, AZ 85005. Representative: A. Michael Bernstein, 1441 E. Thomas Road, Phoenix, AZ 85014. *Paper and paper products*, from Middletown, OH to points in WA, OR, CA, AZ, NV, ID, MT, UT, WY, CO, NM, OK and TX, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Sorg Paper Company, 901 Manchester Avenue, Middleton, OH 45042. SEND PROTESTS TO: Andrew V. Baylor, ICC, Room 2020 Federal Bldg., 230 N. First Avenue, Phoenix, AZ 85025.

MC 117786 (Sub-39TA), filed November 30, 1978. Applicant: RILEY WHIT-TLE, INC., P.O. Box 19038, Phoenix, AZ 85005. Representative: A. Michael Bernstein, 1441 E. Thomas Road, Phoenix, AZ 85014. *Paper and paper products*, from Hamilton, OH to points in WA, OR, CA, ID, NV, UT, AZ, MT, WY, CO, NM, OK and TX, for 180



days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Beckett Paper Company, 400 Dayton Street, Hamilton, OH 45011. **SEND PROTESTS TO:** Andrew V. Baylor, ICC, Room 2020 Federal Bldg., 230 N. First Avenue, Phoenix, AZ 85025.

MC 117786 (Sub-43TA), filed December 4, 1978. Applicant: RILEY WHITTE, INC., P.O. Box 1938, Phoenix, AZ 85009. Representative: Thomas E. Kilroy, Suite 406, Executive Building, 6901 Old Keene Mill Road, Springfield, VA 22150. *Paper and paper products*, from all points in CA, to Phoenix, AZ, for 180 days. **SUPPORTING SHIPPER(S):** Amba Marketing Systems, Inc., and divisions thereof, 711 W. Broadway, Tempe, AZ 85282. **SEND PROTESTS TO:** Andrew V. Baylor DS, ICC, Room 2020 Federal Building, 230 N. First Avenue, Phoenix, AZ 85025.

MC 118142 (Sub-195TA), filed November 30, 1978. Applicant: M. BRUENGER & CO., INC., 6250 N. Broadway, Wichita, KS 67219. Representative: Brad T. Murphree, 814 Century Plaza Bldg. Wichita, KS 67202. *Canned and bottled apple juice*, from facilities of Speas Company, at or near Fremont, MI, to Kansas City, KS, Oklahoma City, OK, and Denver, CO, for 180 days. **SUPPORTING SHIPPER(S):** Speas Company, 502 Connie, Fremont, MI 49412. **SEND PROTESTS TO:** M.E. Taylor, I.C.C., 101 Litwin Bldg., Wichita, KS 67202.

MC 118811 (Sub-12TA), filed November 29, 1978. Applicant: LAWRENCE MCKENZIE, dba MCKENZIE TRUCKING SERVICE, Route 5, Box 111, Winchester, KY 40391. Representative: William L. Willis, 708 McClure Building, Frankfort, KY 40601. *Scrap metal*, from Lexington, KY to Huntington, WV, for 180 days. **SUPPORTING SHIPPER(S):** Baker Iron and Metal Co., Inc., 717 N. Limestone Street, (P.O. Box 11040) Lexington, KY 40512. **SEND PROTESTS TO:** Linda H. Sypher, ICC, 426 Post Office Building, Louisville, KY 40202.

MC 118989 (Sub-211TA), filed December 1, 1978. Applicant: CONTAINER TRANSIT, INC., 5223 S. 9th Street, Milwaukee, WI 53221. Representative: Rolland K. Draves (Same address as applicant). *Fibreboard cans*, from points in the St. Louis, MO, commercial zone to Roseport and St. Paul, MN, for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Container Corporation of America, 500 E. North Avenue, Carol Stream, IL. **SEND PROTESTS TO:** Gail Daugherty Trans. Asst., ICC, U.S. Federal Building & Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

MC 119493 (Sub-246 TA), Filed November 28, 1978. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone (Same address as applicant). (1) *Animal and poultry feed, fish feed and corn products* (except in bulk), from Birmingham and Decatur, IL., to points in the states of Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, Ohio, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and WI; and (2) *Materials and supplies* used in the manufacture, sale and distribution of commodities named in (1) above, from named destinations in (1) above, to Birmingham and Decatur, AL., for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Jim Dandy Company, Birmingham, AL. **SEND PROTESTS TO:** John V. Barry DS, Room 600, 911 Walnut Street, Kansas City, MO 64106.

MC 123255 (Sub-189 TA), filed December 4, 1978. Applicant: B & L MOTOR FREIGHT, INC., 1984 Coffman Road, Newark, OH 43055. Representative: C.F. Schnee, Jr., 1984 Coffman Road, Newark, OH 43055. *Malt beverages*, from Newark, NJ., to points in MI., for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Pabst Brewing Company, 917 W. Junieau Avenue, Milwaukee, WI 53201. **SEND PROTESTS TO:** Frank L. Calvary Trans. Specialist, ICC, 220 Federal Building and U.S. Courthouse, 85 Marconi boulevard, Columbus, OH 43215.

MC 125470 (Sub-36 TA), filed November 22, 1978. Applicant: MOORE'S TRANSFER, INC., Rural Route 4, P.O. Box 1151 Norfolk, NE 68701. Representative: Gailyn L. Larsen, Peterson, Bowman, Larsen & Swanson, 521 South 14th Street, P.O. Box 81849, Lincoln, NE 68501. *Salt and salt products, and materials and supplies used in the agricultural, water treatment, food processing, wholesale grocery and institutional supply industries*, from the facilities of American Salt Company, at or near Lyons, KS, to points in NE, SD, ND, MN, WI, IL, and IN, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days operating authority. Supporting shipper: American Salt Company, John Branham, Traffic Manager, 3142 Broadway, Kansas City, MO. Send protests to: Carroll Russell, I.C.C. 110 North 14th Street, Suite 620, Omaha, NE 68102.

MC 126717 (Sub-16 TA), filed December 1, 1978. Applicant: WALT'S DRIVE-A-WAY SERVICE, INC., 1103 East Franklin Street, Evansville, IN

47711. Representative: Warren C. Moberly, 320 N. Meridian Street, Indianapolis, IN 46204. *Trucks of three-quarter ton capacity and up, modified as construction equipment* (such as but not limited to, cement mixers and mine, well, or quarry-drilling equipment and A-frame, in drive-away service, in secondary movements), (1) From Waverly, IA, Brian, OH, and Chattanooga, TN, to Ashland, Corbin and Louisville, KY, and to Evansville and Indianapolis, IN; (2) from Ashland, KY, to points in Ohio; (3) From Corbin, KY, to points in OH, Tennessee, and WV; (4) From Louisville, KY, to points in Indiana, on and south of Interstate Highway 70, including Indianapolis, IN; (5) From Evansville, IN, to points in Kentucky on and west of U.S. Highway 65, and points in IL, on and south of U.S. Highway 70; and (6) From Indianapolis, IN, to Louisville, KY; (7) From Olathe, KS, and Minneapolis, MN, to Indianapolis, IN, and from Indianapolis, IN, to points in all counties from the Indiana-Ohio State line that will include Columbus, Dayton, and Greenville, and to points in IL in the counties including Danville, IL, and Shawnee Town, IL, for 180 days. An underlying ETA seeks up to 90 days authority.

**SUPPORTING SHIPPER(S):** (1) Rudd Construction Equipment Co., Inc., 4344 Poplar Level Road, Louisville, KY 40232. (2) Rudd Equipment Corporation, 2655 Kentucky Avenue, Indianapolis, IN. **SEND PROTESTS TO:** Beverly J. Williams Trans. Asst., ICC, Federal Bldg., & U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, IN 46204.

MC 127579 (Sub-14TA), filed December 1, 1978. Applicant: HAULMARK TRANSFER, INC., 1100 N. Macon Street, Baltimore, MD 21205. Representative: Glenn M. Heagerty, (same address as applicant). *Such merchandise as is dealt in by Book Wholesalers*, from Jessup, MD, to Los Angeles, CA, and Seattle, WA, for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Frank Sutton Vice President, Ingram Book Co., 347 Reedwood Drive, Nashville, TN 37217. **SEND PROTESTS TO:** William L. Hughes Trans. Specialist, ICC, 1025 Federal Building, Baltimore, MD 21201.

MC 129026 (Sub-8TA), filed November 30, 1978. Applicant: J.C.D. TRANSPORTATION CORP., P.O. Box 487—5950 Fisher Road, East Syracuse, NY 13057. Representative: Michael R. Werner, P.O. Box 1409—167 Fairfield Road, Fairfield, NJ 07006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, except commodities in bulk, in vehicles equipped with temperature



control devices, between Pennsauken, NJ on the one hand, and, on the other, points in PA on and west of a line beginning at the NY-PA state line and extending along U.S. Hwy 15 to junction U.S. Hwy 522, and thence along U.S. Hwy 522 to the PA-MD state line, under a continuing contract(s) with The Nestle' Company, Inc., for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** The Nestle' Company, Inc., 100 Bloomingdale Road, White Plains, NY 10605. **SEND PROTESTS TO:** ICC, U.S. Courthouse and Federal Building, 100 S. Clinton Street, Room 1259, Syracuse, NY 13260.

MC 134182 (Sub-33TA), filed December 1, 1978. Applicant: **ALLIED TRANSPORTATION SERVICES, INC.**, P.O. Box 7424, Shawnee Mission, KS 66207. Representative: Tom Kretzinger, 20 East Franklin, Liberty, MO 64068. *Foodstuffs*, (1) From New Jersey to Alabama, Arkansas, Arizona, California, Colorado, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Michigan, Missouri, Mississippi, Nebraska, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas and (2) Between San Fernando, CA and Newark, NJ, for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Globe Products Company, Inc., Clifton, NJ. **SEND PROTESTS TO:** John V. Barry DS, Room 600, 911 Walnut, Kansas City, MO 64106.

MC 135082 (Sub-80TA), filed November 29, 1978. Applicant: **ROADRUNNER TRUCKING, INC.**, P.O. Box 26748, 415 Rankin Road NE., Albuquerque, NM 87125. Representative: Randall R. Sain (same as above). *Refractories*, from Denver, CO to AR, LA and OK, for days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Castalite Manufacturing, Inc., P.O. Box 4122, Denver, CO 80204. **SEND PROTESTS TO:** ICC District Supervisor, 1106 Federal Office Building, 517 Gold Avenue SW., Albuquerque, NM 87101.

MC 136818 (Sub-48 TA), filed December 4, 1978. Applicant: **SWIFT TRANSPORTATION COMPANY, INC.**, 335 W. Elwood Road, Phoenix, AZ 85030. Representative: Donald Fernaays, 4040 E. McDowell Road, Phoenix, AZ 85008. *Glu-Laminated beams*, from Magna, UT., to points in Colorado, Arizona, New Mexico, Nevada, and California, for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Glu-Laminated Wood Systems, Inc., 3909 S. 8000 West, Magna UT 84044. **SEND PROTESTS TO:** Andrew V. Baylor DS, ICC, Room 2020 Federal Building, 230 N. First Avenue, Phoenix, AZ 85025.

MC 138151 (Sub-4TA), filed November 29, 1978. Applicant: **OREGON RUBBER CO.**, 3595 West First Avenue, Eugene, OR 97402. Representative: J. W. Mc Craken, Jr., 975 Oak Street—Suite 620, Eugene, OR 97401. *Lumber*, from points in Linn and Klamath Counties, OR to points in NM (except points in Rio Arriba and San Juan Counties), for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Snow Mountain Lumber Co., Inc., P.O. Box 25485, Albuquerque, NM 87125. *Sagebrush Sales Company*, P.O. Box 2560, Albuquerque, NM 87125. **SEND PROTESTS TO:** A. E. Odoms, ICC, 114 Pioneer Courthouse, 555 SW. Yamhill Street, Portland, OR 97204.

MC 138548 (Sub-6TA), filed November 28, 1978. Applicant: **INDIANOAKS TRANSPORTATION CO.**, P.O. Box 37, Old Route 66, Dwight, IL 60420. Representative: James R. Madler, 120 W. Madison Street, Chicago, IL 60602. *Chemicals*, (except in bulk), moving in mechanically refrigerated trailers, from St. Louis, MO, to points in FL, restricted to shipments originating at the facilities of Peck's Products Company, St. Louis, MO, for 180 days. **SUPPORTING SHIPPER(S):** John F. Daley President, Peck's Products Company, 2515 W. 35th Street, Chicago, IL 60632. **SEND PROTESTS TO:** Lois M. Stahl Trans. Asst., ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 139906 (Sub-23TA), filed December 1, 1978. Applicant: **INTERSTATE CONTRACT CARRIER CORPORATION**, P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. *Stereo systems and materials, equipment and supplies* used in the manufacture, sale and distribution of stereo systems, (except those commodities in bulk or those which because of their size or weight require special handling or equipment). From Compton, CA, to points in the United States, (except Alaska, and Hawaii), and from New York City, NY, to Compton, CA, for 180 days. **SUPPORTING SHIPPER(S):** Symphonic Electronic Corporation, 1062 E. Del Amo Boulevard, Carson, CA 90746. (S. F. Gordon Vice President) **SEND PROTESTS TO:** L. D. Helfer DS, ICC, 5301 Federal Building, Salt Lake City, UT 84138.

MC 140241 (Sub-36TA), filed November 30, 1978. Applicant: **DALKE TRANSPORT, INC.**, Box 7, Moundridge, KS 67107. Representative: Larry E. Gregg, 641 Harrison Street, Topeka, KS 66603. *Used Crossties*, Between points in AL, AZ, AR, CO, IL, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NM, ND, OH, OK, SD, TN, TX, WI and WY, for 180 days. **SUP-**

**PORTING SHIPPER(S):** Ron-Jon Company, 1118 S. 133rd East Avenue, Tulsa, OK 74100. **SEND PROTESTS TO:** M. E. Taylor, I.C.C., 101 Litwin Bldg., Wichita, KS 67202.

MC 141764 (Sub-12TA), filed November 29, 1978. Applicant: **BLACK-HAWK ENTERPRISES**, 3149 Depot Road, Hayward, CA 94545. Representative: William D. Taylor, 100 Pine Street, Suite 2550, San Francisco, CA 94111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning Compounds, food supplements, vitamins, cosmetics, plastic articles, printed materials and merchandise*, NOI (except commodities in bulk), in temperature controlled equipment, from the facilities of Shaklee Corporation, at or near Hayward, CA to Denver, CO and Portland, OR under a continuing contract or contracts with Shaklee Corporation, Hayward, CA, for 180 days. Shipments may be stopped in transit to partially unload at Salt Lake City, UT. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Shaklee Corporation, 2036 National Avenue, Hayward, CA 94545. **SEND PROTESTS TO:** A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 142114 (Sub-5TA), filed November 28, 1978. Applicant: **RETAIL EXPRESS, INC.**, 9 Stuart Street, Chelmsford, MA 01824. Representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite 605, Washington, DC 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores (except commodities in bulk and frozen foodstuffs), (1) from Jersey City, NJ, to Pawtucket, RI, and Braintree, MA.; and (2) from Braintree, MA, to Silver Spring, MD.; (3) from Silver Spring, MD., to Jersey City, NJ, under a continuing contract or contracts, with Outlet Specialties Stores, Inc. for 180 days. **SUPPORTING SHIPPER(S):** Outlet Specialties Stores, Inc., 295 Armistice Blvd., Pawtucket, RI 02861. **SEND PROTESTS TO:** John B. Thomas DS, ICC, 150 Causeway Street, Boston, MA 02114.

MC 142948 (Sub-15TA), filed November 29, 1978. Applicant: **THE GRADER LINE, INC.**, 434 Atlas Drive, Nashville, TN 37211. Representative: Lawrence C. Goddard, Suite C, Parkway Towers, 404 James Robertson Pkwy, Nashville, TN 37219. *Electroless nickel plating solution requiring temperature controlled handling* (except in bulk), between the plant site of Elnic of TN, Inc., in Nashville, TN and points in the U.S., for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING**



SHIPPER(S): Elnic, Inc., 747 Massman Drive, Nashville, TN. SEND PROTESTS TO: Glenda Kuss, ICC, Suite A-422—U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 143032 (Sub-10 TA), filed December 4, 1978. Applicant: THOMAS J. WALCZYNSKI, d.b.a., WALCO TRANSPORT, 3112 Truck Center Drive, Duluth, MN 55806. Representative: James B. Hovland, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58102. *Hardboard, and accessories for the installation thereof*, from Duluth, MN., to points in Indiana, Michigan and OH., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): Superwood Corporation, Box 6267, Duluth, MN 55806. SEND PROTESTS TO: Delores A. Poe Trans. Asst., ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 143239 (Sub-4 TA), filed November 30, 1978. Applicant: Jamour, Inc. d.b.a. Quick Metropolitan Messenger Services, 123 North 23rd Street, Philadelphia, PA 19121. Representative: Alan Kahn, Two Penn Center Plaza, Philadelphia, PA 19102. (1) *General commodities* except articles of unusual value and classes A and B explosives limited to parcels and packages not exceeding 50 lbs. in weight and total shipments not exceeding 200 lbs. in weight and having a prior or subsequent movement by air between the facilities of Donnelley Printing Company at Lancaster, PA, on the one hand, and, on the other, Philadelphia, PA. (2) *General commodities* except articles of unusual value and classes A and B explosives limited to parcels and packages not exceeding 50 lbs. in weight and total shipments not exceeding 200 lbs. in weight between the facilities of Donnelley Printing Company at Lancaster, PA, on the one hand, and, on the other, points in New Castle County, DE for 180 days. An underlying ETA seeks 90 days authority. RESTRICTION: The service authorized in (1), above, is limited to articles transported in the small package express service of the scheduled airlines or the express mail service of the U.S. postal service. SUPPORTING SHIPPER(S): R. R. Donnelley and Sons Company, 2223 South King Drive, Chicago, IL 60616. SEND PROTESTS TO: T. M. Esposito, Trans. Asst., I.C.C., 600 Arch St., Rm. 3238, Phila., PA 19106.

MC 143739 (Sub-7 TA), filed December 4, 1978. Applicant: SHURSON TRUCKING CO., INC., P.O. Box 147, New Richland, MN 56072. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Frozen foods and frozen inedible foods*, from the facilities of Continental

Freezers of Illinois, Chicago, IL., to points in Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio and WI., for 180 days. An underlying ETA seeks up to 90 days of authority. SUPPORTING SHIPPER(S): Continental Freezers of IL., 4220 South Kildare Blvd., Chicago, IL 60632. SEND PROTESTS TO: Delores A. Poe Trans. Asst., ICC, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 144282 (Sub-5TA), filed November 29, 1978. Applicant: JAMES RECK, d.b.a. JAMES RECK TRUCKING, 4029 W. McDowell, No. 4, Phoenix, AZ 85009. Representative: Lewis P. Ames/Phil B. Hammond, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron oxide*, from Los Angeles, CA to points in AZ, under a continuing contract(s) with Frank D. Davis Co., for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Frank D. Davis Co., 3700 E. Olympic, Los Angeles, CA 90023. SEND PROTESTS TO: Andrew V. Baylor, ICC, Room 2020 Federal Building, 230 N. First Avenue, Phoenix, AZ 85025.

MC 144927 (Sub-7TA), filed November 30, 1978. Applicant: REMINGTON FREIGHT LINES, INC., Box 315—U.S. 24 West, Remington, IN 47977. Representative: Warren C. Moberly, 320 North Meridian Street, Indianapolis, IN 46204. *Scouring pads and foam cleaning products* (except in bulk in tank vehicles), (1) from Hackensack, NJ, to Waxdale and Racine, WI; Syracuse and Buffalo, NY; Cleveland, OH; and Waukegan, IL; and (2) from Racine, WI to St. Louis, MO, for 180 days. SUPPORTING SHIPPER(S): S. C. Johnson Co., Racine, WI 53403, Mercury Foam Corp., 214 South Newman Street, Hackensack, NJ 07601. SEND PROTESTS TO: J. H. Gray, ICC, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

MC 145282 (Sub-1TA), filed November 28, 1978. Applicant: FALCON TRANSPORT, INC., 666 Tift Street, Buffalo, NY 14202. Representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, NY 14202. *General commodities*, in International Standard Organization containers requiring container chassis type trailers, between ports of entry on the International Boundary line between the United States and Canada on the Niagara River, on the one hand, and, on the other, points in New York, New Jersey, Maryland, Ohio, Pennsylvania and WV., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): There are approximately (4) statements of

support attached to this application which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: ICC, 910 Federal Bldg., 111 West Huron St., Buffalo, NY 14202.

MC 145341 (Sub-1TA), filed November 29, 1978. Applicant: NORTH CENTRAL DISTRIBUTING CO., 2001 North University Drive, Fargo, ND 58102. Representative: James B. Hovland, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58102. *Modified inedible corn flour*, except in bulk, in tank vehicles, from North Kansas City, MO, to ports of entry on the United States Canada boundary line located at or near Pembina, ND, and Noyes, MN, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Domtar, Inc., 2001 University Street, Montreal, Quebec, Canada H3A 2A6. SEND PROTESTS TO: Ronald R. Mau, ICC, Room 268 Federal Building and U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.

MC 144819 (Sub-7TA), filed November 30, 1978. Applicant: C & N TRANSPORT, INC., 727 S. Overhead Drive, Oklahoma City, OK 73108. Representative: C. L. Phillips, Room 248—Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. *Frozen meats and frozen prepared foods*, from Eau Claire, WI and Fairmont, MN to Phoenix, AZ; Las Vegas, NV; and points in CA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Armour and Company, P.O. Box 239, Union Stockyards, S. St. Paul, MN 55075. SEND PROTESTS TO: Connie Stanley, ICC, Room 240 Old Post Office and Court House Building, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 145588 (Sub-5TA), filed December 4, 1978. Applicant: GULF-MIDWESTERN INCORPORATED, 12151 West 44th Avenue, Denver, CO 80033. Representative: William W. Selman, 18500 John F. Kennedy Blvd., Houston, TX 77205. *Iron and steel articles*, from Williamsport, PA and Avis, PA, to all points in the states of Texas, Arkansas, Oklahoma, Mississippi, Georgia, Washington, Wisconsin, Florida, Alberta, Canada and CA, for 180 days. An underlying ETA seeks up to 90 days of authority. SUPPORTING SHIPPER(S): Jersey Shore Steel Company, Jersey Shore, PA 17740. SEND PROTESTS TO: Herbert C. Ruoff DS, ICC, 492 U.S. Customs House, 721 19th Street, Denver, CO. 80202.

MC 145733 (Sub-1 TA), filed December 1, 1978. Applicant: AMERICAN AUTO SHIPPERS, Suite 923, 152 W. 42nd Street, New York, NY 10036. Representative: Jack Pearce, Pearce



and Brand, 1000 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036. *New and used automobiles*, including small trucks, vans, and campers up to ¾ tons, and motor homes, in subsequent or secondary movements, in driveway service, between points in the United States, for 90 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** There are approximately (28) statements of support attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. **SEND PROTESTS TO:** Maria B. Kejss Trans. Asst., ICC, 26 Federal Plaza, New York, NY 10007.

MC 145816TA, filed November 30, 1978. Applicant: NTC TRUCKING CORP., 233 North Sneden Place West, Spring Valley, NY 10977. Representative: Michael R. Werner, POB 1409, 167 Fairfield Road, Fairfield, NJ 07006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Piece goods and materials, supplies and equipment used in the manufacture thereof* (except commodities in bulk), between Beacon, NY, on the one hand, and, on the other, New York, NY, and Bergen, Passaic, Morris, Somerset and Middlesex Counties, NJ, under a continuing contract(s) with Printree LTD, and its affiliates Pret-A-Printree and Le Fabrics, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Printree LTD, and its affiliates Pret-A-Printree and Le Fabrics, 49 West 37th Street, New York, NY 10018. **SEND PROTESTS TO:** Maria B. Kejss, ICC, 26 Federal Plaza, New York, NY 10027.

MC 145819TA, filed December 1, 1978. Applicant: FULLMER BROTHERS INTERNATIONAL, INC., 5325 South Orange Blossom Trail, Orlando, FL 32809. Representative: Harry S. Dent, P.O. Box 528, Columbia, SC 29202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, between Williamson, Hamlin and Holley, NY, and Aspers and Hanover, PA, on the one hand, and on the other, to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, South Carolina, Tennessee and TX, under a continuing contract or contracts, with Duffy-Mott Co., Inc., for 180 days. **SUPPORTING SHIPPER(S):** Duffy-Mott Co., Inc., 370 Lexington Avenue, New York, NY 10017. **SEND PROTESTS TO:** G. H. Fauss, Jr., DS, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 145820TA, filed November 28, 1978. Applicant: NORTH CENTRAL DISTRIBUTING CO., Box 5453, University Station, Fargo, ND 58102. Representative: Charles E. Johnson, 418 East Rosser Avenue, P.O. Box 1982, Bismarck, ND 58501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, wood products, and building materials*, (except in bulk), from points in Washington, Oregon, California, Idaho, Montana, North Dakota, South Dakota, Minnesota, Illinois, Iowa, Missouri, Nebraska, Wisconsin, Wyoming, Kansas, Mississippi, Arkansas and OK, to points in North Dakota, South Dakota, Iowa, Minnesota, Wisconsin, Illinois, Nebraska, Montana, Wyoming, Idaho, Washington, Oregon and CA, and (2) *Animal and poultry feed and feed ingredients*, from points in Minnesota, North Dakota, South Dakota, Iowa, and NE, to points in Washington, Oregon, California, Idaho, Montana, Wyoming, North Dakota, and South Dakota. **RESTRICTION:** Restricted to a transportation service to be performed, under a continuing contract or contracts with North Central Distributing Co., Fargo, ND, for 180 days. An underlying ETA seeks up to 90 days of authority. **SUPPORTING SHIPPER(S):** North Central Distributing Co., Box 5453, University Station, Fargo, ND 58102. **SEND PROTESTS TO:** Ronald R. Mau DS, ICC, Room 268 Federal Building & U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.

MC 145828TA, filed November 30, 1978. Applicant: RONALD JONES, dba ALGOMA FARMS, 1762 Leonard Road North, Oshkosh, WI 54901. Representative: James A. Spiegel, 6425 Odana Road, Madison, WI 53719. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Precast concrete panels*, from shipper's plant at Omro, WI to points in IA, IL, IN, MI and MN, under a continuing contract(s) with Precast Concrete Specialties, Inc., Omro, WI, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Precast Concrete Specialties, Inc., P.O. Box 412, Omro, WI 54963. **SEND PROTESTS TO:** Gail Daugherty, ICC, U.S. Federal Building and Courthouse, 517 East Wisconsin Avenue, Room 619, Milwaukee, WI 53202.

MC 145829TA, filed November 29, 1978. Applicant: ETI CORP., P.O. Box 549, Linden, NJ 07036. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, chain, grocery, de-*

partment stores, and food business houses (except glass containers and commodities in bulk), and in connection therewith, equipment, materials and supplies used in the conduct of such business (except glass containers and commodities in bulk), between points in CT, DE, MD, MA, NH, NJ, NY, PA, RI, VA, NC, SC, WV, GA, FL, AL, LA, MS, TN, and DC, for 180 days. **RESTRICTION:** Limited to a transportation service to be performed under a continuing contract or contracts with Warner-Lambert Company. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Warner-Lambert Company, 201 Tabor Road, Morris Plains, NJ 07950. **SEND PROTESTS TO:** Robert E. Johnston, ICC, 9 Clinton Street, Newark, NJ 07102.

MC 145835TA, filed November 28, 1978. Applicant: TODAY CARTAGE, INC., Route 2, Box 49B, Plano, IL 60545. Representative: James Madler, 120 W. Madison, Chicago, IL 60602. *Sand*, (in bulk), from LaSalle County, IL, and Berrien County, MI, to Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and WS, for 180 days. An underlying ETA seeks up to 90 days authority. **SUPPORTING SHIPPER(S):** Manley Bros., P.O. Box 538, Chesterton, IN 46304. **SEND PROTESTS TO:** Lois M. Stahl Trans. Asst., ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

By the Commission.

H. G. HOMME, Jr.,  
Secretary.

[FR Doc. 79-2228 Filed 1-22-79; 8:45 am]

[7035-01-M]

[Notice No. 6]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 9, 1979.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on



the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

NOTE.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

#### MOTOR CARRIERS OF PROPERTY

MC 2202 (Sub-575TA), filed November 24, 1978. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Wolfe City, TX as an off-route point in connection with applicant's regular routes, for 180 days. SUPPORTING SHIPPER(S): Texas Tag & Specialty Company, Inc., P.O. Drawer D, Wolfe City, TX 75496. Henington Industries, Inc., P.O. Drawer N, Wolfe City, TX 75496. SEND PROTESTS TO: Mary Wehner, Trans. Specialist, I.C.C., 731 Federal Bldg., 1240 East Ninth Street, Cleveland, OH 44199.

MC 19105 (Sub-52TA), filed November 27, 1978. Applicant: FORBES TRANSFER COMPANY, INC., P.O. Box 3544, Wilson, NC 27893. Representative: Edward G. Villalon, 1032 Pennsylvania Building, Penn. Avenue & 13th Street, NW, Washington, DC 20004. *Malt beverages in containers*, from Williamsburg, VA to points in NC in and east of Granville, Durham, Chatham, Lee, Harnett, Cumberland

and Roberson Counties, NC, for 180 days. SUPPORTING SHIPPER(S): Jessup Distributing Company, POB 3423, Wilson NC 27893. Smoot Wholesale Co., 205 W. Wilson Street, Tarboro, NC 27886. Atlas Distributing Co., Inc., POB 35235, Fayetteville, NC 28303. Jeffreys Beer and Wine, Box 2105, Goldsboro, NC 27530. SEND PROTESTS TO: Archie W. Andrews, ICC, P.O. Box 26896, Raleigh, NC 27611.

MC 36509 (Sub-3TA), filed December 11, 1978. Applicant: LOOMIS ARMORED CAR SERVICE, INC., 821 Sansome Street, San Francisco, CA 94111. Representative: Robert C. Konkle (Same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silver bullion* between Owyhee County, ID, on the one hand, and, on the other, King County, WA, under a continuing contract(s) with Earth Resources Co./DeLamar Silver Mine, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Earth Resources Co./DeLamar Silver Mine, P.O. Box 52, Jordan Valley, OR 97910. SEND PROTESTS TO: Michael M. Butler, ICC, 211 Main—Suite 500, San Francisco, CA 94105.

MC 44302 (Sub-8TA), filed November 29, 1978. Applicant: DEFAZIO EXPRESS, INC., 1028 Springbrook Avenue, Moosic, PA 18507. Representative: Thomas Melvin (Same as above). (1)(a) *Sanitary paper and paper products*, (b) *Sanitary paper and paper products joined to or combined with paper, plastics, synthetics, or cloth*, (c) *pulp*, (d) *machinery used in paper mills*, and (e) *materials, equipment, and supplies used or useful in the production, manufacture, and distribution of the commodities in (1)(a), (b) and (c)* (except commodities in bulk), between the facilities of Proctor and Gamble Company and its subsidiaries in the Township of Washington (Wyoming County), PA, and Luzerne and Lackawanna Counties, PA, on the one hand, and, on the other, Trenton, NJ, and Beacon and Newburg, NY, and points in that portion of the Philadelphia, PA, commercial zone in DE and NJ; and (2) *Paper and paper mill products*, between Scranton, PA, on the one hand, and, on the other, Trenton, NJ, Beacon and Newburg, NY, and Ansonia, south Norwalk, New Haven and Hartford, CT, and points in that portion of the Easton, PA, commercial zone in NJ, and in that portion of the Philadelphia, PA, commercial zone in DE and NJ, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): No certificates of support were filed with this application. SEND PROTESTS TO: Paul J.

Kenworthy, ICC, 314 U.S. Post Office Building, Scranton, PA 18503.

MC 54819 (Sub-2TA), filed November 27, 1978. Applicant: T. F. BOYLE TRANSPORTATION, INC., 21 Everett Street, Natick, MA 01760. Representative: Thomas F. Boyle (Same as above). *General commodities*, except those in bulk, between Pease Air Base, Portsmouth, NH and points in MA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Department of Defense, Room 2C455-Pentagon, Washington, DC 20350. SEND PROTESTS TO: John B. Thomas, ICC, 150 Causeway Street, Boston, MA 02114.

MC 55896 (Sub-103TA), filed November 27, 1978. Applicant: R-W SERVICE SYSTEM, INC., 20225 Goddard Road, Taylor, MI 48180. Representative: Martin J. Leavitt, P.O. Box 400, Northville, MI 48167. *Iron and steel articles*, between Cincinnati, OH and Muncie, IN, for 180 days. RESTRICTED to traffic having a prior or subsequent movement by water. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): River Transportation Co., 5297 River Road, Cincinnati, OH 45233. SEND PROTESTS TO: Tim Quinn, ICC, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

MC 59668 (Sub-11TA), filed December 12, 1978. Applicant: HAROLD G. CLINE, INC., Harding Highway and DuPont Road, Penns Grove, NJ 08069. Representative: M. Bruce Morgan, 104 Azar Building, Glen Burnie, MD 21061. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, dyes, dye stuffs and colors, motor fuel anti-knock compound solidified carbon dioxide (dry-ice), educators, eductor parts, mixing charts, drums cylinders, carboys, barrels and other empty containers, and such materials, equipment and supplies as are used or necessary in conjunction with the manufacture, sale or distribution of chemicals, dyes, motor fuel anti-knock compound, or materials sold by such manufacturers in the ordinary course of their business*, between Deepwater, NJ and Sauget, IL, under a continuing contract(s) with E. I. du pont de Nemours and Company, for 180 days. SUPPORTING SHIPPER(S): E. I. du pont de Nemours and Company, 1007 Market Street, Wilmington, DE 19898. SEND PROTESTS TO: John P. Lynn, ICC, 428 East State Street, Room 204, Trenton, NJ 08608.

MC 64932 (Sub-590TA), filed November 29, 1978. Applicant: ROGERS CARTAGE CO., 10735 South Cicero Avenue, Oak Lawn, IL 60453. Representative: William F. Farrell (Same as



above). *Compound cleaning, liquid, corrosive material*, in rubber lined top unloading tank trucks, from the plant-site of Oxy Metal Inds., Parker Div., Morenci, MI to the plant-site of Coors Container Co., Golden, CO, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Oxy Metal Inds., Parker Div., 21441 Hoover Road, Warren, MI 48089. Send protests to Lois M. Stahl, ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 82063 (Sub-97TA), filed November 29, 1979. Applicant: KLIPSCH HAULING CO., 10795 Watson Road, Sunset Hills, MO 63127. Representative: W. E. Klipsch (Same as above). *Calcium bromide*, in bulk, in tank vehicles, from the plant-site of Plastifax, Inc., Gulfport, MI to points in LA and TX, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Velsicol Chemical Corporation, 341 E. Ohio, Chicago, IL 60611. SEND PROTESTS TO: P. E. Binder, ICC, Room 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 107403 (Sub-1148TA), filed November 27, 1978. Applicant: MALLACK, INC., 10 W. Baltimore Avenue, Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as above). *Well packing fluids, viz: Calcium bromide*, in bulk, in tank vehicles, from the facilities of Plastifax, Inc., Gulfport, MS to Cameron, Intracoastal City, Morgan City, Berwick, Dulac, Houma and Venice, LA and Freeport, Galveston, Port O'Connor and Beaumont, TX, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Velsicol Chemical Corp., 341 E. Ohio Street, Chicago, IL 60611. SEND PROTESTS TO: T. M. Esposito, 600 Arch Street, Room 3238, Philadelphia, PA 19106.

MC 107541 (Sub-53TA), filed November 28, 1978. Applicant: WASHINGTON-OREGON LUMBER FREIGHTERS, INC., 12925 N.E. Rockwell Drive, Vancouver, WA 98665. Representative: Edward A. Francom (same address as applicant). *Iron oxide and paint pigment*, in bags, from Emeryville, CA to Portland, OR, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: PFIZER, INC., 235 East 42nd Street (4th Floor), New York, NY 10017. Send protest to: R. V. DuBay, I.C.C., 114 Pioneer Courthouse, Portland, OR 97204.

MC 109584 (Sub-184TA), filed November 29, 1978. Applicant: ARIZONA PACIFIC TANK LINES, Box 7240, Denver, CO 80207. Representative: Rick Barker (same as above). *Fish solubles*, in bulk, in tank vehicles, from San Diego, CA to Denver, CO; Flagstaff, AZ; and Sparks, NV, for 180 days. An underlying ETA seeks 90

days authority. SUPPORTING SHIPPER(S): Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. SEND PROTESTS TO: Roger L. Buchanan, ICC, 721 19th Street, 492 U.S. Customs House, Denver, CO 80202.

MC 114457 (Sub-460TA), filed November 27, 1978. Applicant: DART TRANSIT COMPANY, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills (same as above). *Aluminum ingots and zinc alloy ingots*, from the facilities of Aluminum Smelting and Refining Company, Inc., and/or Certified Alloys Company located at Maple Heights, OH; Clinton, IA; Minneapolis, MN; and Waukesha, WI to points in the states of AL, CT, GA, KY, IA, MN, MO, MI, NC, NJ, NY, SC, TN and WI, for 180 days. Restricted against the use of dump vehicles. SUPPORTING SHIPPER(S): Aluminum Smelting and Refining Co., Inc., 5463 Dunham Road, Maple Heights, OH 44137. SEND PROTESTS TO: Delores A. Poe, ICC, 414 Federal Building and U.S. Court House, 110 South 4th Street, Minneapolis, MN 55401.

MC 114632 (Sub-190TA), filed November 24, 1978. Applicant: APPLE LINES, INC., 212 S.W. Second St., P.O. Box 287, Madison, SD 57042. Representative: David E. Peterson, 212 S.W. Second St., Madison, SD 57042. *Electrical transformers, and materials and supplies used in the restoration of electrical transformers*, from points in the United States (except Alaska, Hawaii and South Dakota) to Madison, South Dakota, for 180 days. SUPPORTING SHIPPER(S): Roger's Transformer Supply, Inc., P.O. Box 333, Madison, SD 57042 (Roger G. Larson, President). Send Protests To: J. L. Hammond, I.C.C., Room 455, Federal Bldg., Pierre, SD 57501.

MC 114897 (Sub-128TA), filed November 29, 1978. Applicant: WHITEFIELD TANK LINES, INC., 821 E. Pasadena (P.O. Box 7676), Phoenix, AZ 85011. Representative: J. P. Rose (same as above). *Waste or spent chemicals*, in bulk, in tank vehicles, from Albuquerque, NM to Beatty, NV, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): General Electric Co., 336 Woodward SE, Albuquerque, NM 87102. SEND PROTESTS TO: Andrew V. Baylor, ICC, Room 2020 Federal Building, 230 N. First Avenue, Phoenix, AZ 85025.

MC 115036 (Sub-26TA), filed December 11, 1978. Applicant: VAN TASSEL, INCORPORATED, 5th and Grand, Pittsburg, KS 66762. Representative: Dean Williamson, 280 National Foundation Life Building, Oklahoma City, OK 73112. Authority sought to operate as a contract carrier, by motor ve-

hicle, over irregular routes, transporting: *Clay and clay products*, from Pittsburg, KS to points in NY, under continuing contract or contracts with the W. S. Dickey Clay Manufacturing Company of Pittsburg, KS, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): W. S. Dickey Clay Manufacturing Company, P.O. Box 6, 824 E. 4th Street, Pittsburg, KS 66762. SEND PROTESTS TO: M. E. Taylor, ICC, 101 Litwin Building, Wichita, KS 67202.

MC 115841 (Sub-656TA), filed November 27, 1978. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 9041 Executive Park Drive, Suite 110, Building 100, Knoxville, TN 37919. Representative: D. R. Beeler (same as above). *Floor coverings, tools and accessories, adhesives, preservatives, carpet tacking strips, and metal moulding*, from the facilities of Roberts Consolidated, located in Los Angeles County, CA to all points in the United States (except AK and HI), for 180 days. SUPPORTING SHIPPER(S): Roberts Consolidated Industries, 600 N. Baldwin Park Boulevard, City of Industry, CA 91749. SEND PROTESTS TO: Glenda Kuss, ICC, Suite A-411—U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 118838 (Sub-37TA), filed November 29, 1978. Applicant: GABOR TRUCKING, INC., Rural Route No. 4, Box 124B, Detroit Lakes, MN 56501. Representative: Robert D. Gisvold, 1000 First National Bank Building, Minneapolis, MN 55402. *Lumber, lumber mill products and wood products*, from Juliaetta and Grangeville, ID, to points in MN, WI, IA, IL, MI, IN, OH, ND and SD, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): The Wickes Corporation, P.O. Box 153, Grangeville, ID 83530. Gem State Lumber Company, Box 379, Juliaetta, ID 83535. SEND PROTESTS TO: Ronald R. Mau, ICC, Room 268 Federal Building and U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.

MC 119619 (Sub-129TA), filed November 29, 1978. Applicant: DISTRIBUTORS SERVICE CO., 2000 West 43rd Street, Chicago, IL 60609. Representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, NY 11368. *Meat, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from points in CT, DE, DC, MD, MA, NJ, NY, RI and those points in PA on and east of U.S. Highway 15 to points in IA, KS, MO, and NE, for 180 days. SUPPORTING SHIPPER(S): There are approximately (6) statements of sup-



port attached to the application which may be examined at the Interstate Commerce Commission in Washington, DC, or copies thereof which may be examined at the field office named below. **SEND PROTESTS TO:** Lois M. Stahl, ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

**NOTE:** The purpose of this application is to substitute a single-line service for its existing joint line operations. An underlying ETA seeks 90 days authority.

**MC 119741 (Sub-123TA),** filed November 29, 1978. Applicant: **GREEN FIELD TRANSPORT COMPANY, INC.,** 1515 Third Avenue, NW, P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same as above). *Foodstuffs*, from the facilities of Michigan Fruit Cannery at Coloma, MI to points in CO, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Michigan Fruit Cannery, P.O. Box 206, Coloma, MI 49038. **SEND PROTESTS TO:** Herbert W. Allen, ICC, 518 Federal Building, Des Moines, IA 50309.

**MC 123075 (Sub-30TA),** filed November 27, 1978. Applicant: **SHUPE & YOST, INC.,** North U.S., 85 Bypass, P.O. Box 1123, Greeley, CO 80631. Representative: Stuart L. Poelman, 700 Continental Bank Building, Salt Lake City, UT 84101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from the Salt Plant at Lake Point, UT to points in CO, WY, NE, ND and SD under a continuing contract with Leslie Salt Co., for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Leslie Salt Company, 866 W. 2600 S., Salt Lake City, UT 84119. **SEND PROTESTS TO:** Roger L. Buchanan, ICC, 721 19th Street, 492 U.S. Customs House, Denver, CO 80202.

**MC 125535 (Sub-12TA),** filed November 30, 1978. Applicant: **JOHN SHARP TRUCKING COMPANY, INC.,** 12015 Manchester Rd., Suite 118, St. Louis, MO 63131. Representative: Donald S. Helm, (same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: (1) *Tile, clay, earthenware and china fixtures and (2) commodities used in the manufacture and installation of commodities* in (1) (except commodities in bulk) (1) between Cloverport and Lewisport, KY, Olean, NY, and Jackson, TN on the one hand, and on the other, points in the U.S. in and east of CO, NM, MT and WY, and (2) between Lansdale and Quakertown, PA, on the one hand, and on the other, points in the U.S. in and east of CO, NM, MT, and WY (except points in CT, DE, DC, ME, MD, MA, NH, NY, PA, RI, VT, VA, and WV), for 180 days. An under-

lying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** American Olean Tile Company, 1000 Canon Ave., Lansdale, PA 19446. **SEND PROTESTS TO:** P. E. Binder, I.C.C., Rm. 1465, 210 N. 12th St., St. Louis, MO 63101. Under a continuing contract or contracts with American Olean Tile Company.

**MC 126421 (Sub-10TA),** filed November 24, 1978. Applicant: **GYPSON TRANSPORT, INC.,** P.O. Drawer 2679, East Highway 80, Abilene, TX 79604. Representative: Mike Cotten, P.O. Box 1148, Austin, TX 78767. (1) *Building and roofing materials and (2) materials and supplies used in the manufacture, distribution, and/or installation of commodities described in (1) above* (except commodities in bulk), from the plantsite Bird & Son, Inc., at Shreveport, LA to points in TX, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Bird & Son, Inc., East Walpole, MA 02032. **SEND PROTESTS TO:** Robert J. Kirspeil, Trans. Specialist, I.C.C., 9A27 Federal Bldg., 819 Taylor St., Fort Worth, TX 76102.

**MC 129615 (Sub-27TA),** filed November 29, 1978. Applicant: **AMERICAN INTERNATIONAL DRIVEAWAY,** 123 N. First Street, P.O. Box 545, Decatur, IN 46733. Representative: Edward D. Helmer (same as above). *Passenger automobiles* (van conversions) and trucks, thru  $\frac{3}{4}$  ton, in motor carrier service, between Huntington County and Adams County, IN, on the one hand, and on the other, points in the states east of the Mississippi River, plus MO, AR, LA, TX, IA, OK and MN, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** General Engineering and Manufacturing Corp., P.O. Box 338, Andrews, IN 46702. **SEND PROTESTS TO:** J. H. Gray, ICC, 343 West Wayne Street, Suite 113, Fort Wayne, IN 46802.

**MC 134806 (Sub-55TA),** filed December 11, 1978. Applicant: **B-D-R TRANSPORT, INC.,** P.O. Box 1277, Brattleboro, VT 05301. Representative: Francis J. Ortman, 7101 Wisconsin Avenue, Suite 605, Washington, DC 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: (1) *Skis, skiing equipment and accessories*, from Middletown, CT, to points in CA, and (2) *fiberglass stock*, from San Diego County, CA, to Middletown, CT, under a continuing contract(s) with Olin Ski Company, Inc., for 180 days. **SUPPORTING SHIPPER(S):** Olin Ski Company, Inc., 475 Smith Street, Middletown, CT 06457. **SEND PROTESTS TO:** ICC, P.O. Box 548, 87 State Street, Montpelier, VT 05602.

**MC 135070 (Sub-23TA),** filed November 27, 1978. Applicant: **JAY LINES,**

INC., 720 N. Grand, Amarillo, TX 79120. Representative: Gailyn Larsen, 521 South 14th Street, Lincoln, NE 68501. *Drugs, medicines, cosmetics, plastic boxes, weed killing compounds, and animal and poultry feed supplements, and materials and supplies used in the manufacture and distribution thereof*, between the facilities of Eli Lilly and Company, located at or near Clinton, Lafayette, and Indianapolis, IN, on the one hand, and, on the other, points in TX, for 180 days. An underlying ETA seeks 90 days authority. **SUPPORTING SHIPPER(S):** Eli Lilly and Company, 1555 S. Kentucky Avenue, Indianapolis, IN 46206. **SEND PROTESTS TO:** Haskell E. Ballard, ICC, Box F-13206 Federal Building, Amarillo, TX 79101.

**MC 135152 (Sub-28TA),** filed November 27, 1978. Applicant: **CASKET DISTRIBUTORS, INC.,** Harrison-Brookville Road, Harrison, IN 45030. Representative: J. D. Campbell (same as above). *Games, toys, and children's vehicles*, (1) from facilities of Louis Marx & Co., at Girard, PA; Glendale, WV; and Columbus, OH; to the states of WA, ID, OR, CA, NV, UT, AZ and NM; and (2) *Material, equipment and supplies used in the manufacture of toys* from above named states to the facilities of Louis Marx & Co., at Girard, PA; Glendale, WV; and Columbus, OH, for 180 days. **SUPPORTING SHIPPER(S):** Louis Marx and Company, Inc., 633 Hope Street, Stamford, CT 06904. **SEND PROTESTS TO:** Beverly J. Williams, ICC, Federal Bldg. and U.S. Courthouse, 46 East Ohio Street, Room 429, Indianapolis, IN 46204.

**MC 138144 (Sub-40TA),** filed November 24, 1978. Applicant: **FRED OLSON CO., INC.,** 6022 West State Street, Milwaukee, WI 53213. Representative: William D. Brejcha, 10 South La Salle Street, Suite 1600, Chicago, IL 60603. (A) *Such commodities as are manufactured or distributed by manufactures of (1) buildings, complete, knocked down, or in sections, (2) building sections and panels, (3) component parts, materials and supplies for (1) and (2), and (4) parts, accessories, and equipment used in the installation of (1), (2), and (3), (except commodities in bulk), from the facilities of Sonoco Buildings, a Division of Sonoco Products Co., located at or near Chetopa, KS to points in the United States (except AK and HI), (B) Material and supplies used in the production of the commodities described in (A) above, from points in the United States (except AK and HI) to the facilities of Sonoco Buildings, a Division of Sonoco Products Co., at or near Chetopa, KS. RESTRICTION: Restricted to the transportation of traffic originating at or destined to the facilities of Sonoco*



Buildings, a Division of Sonoco Products Co., for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Sonoco Buildings, A Division of Sonoco Products, 19775 Sommer Drive, Waukesha, WI 53186. SEND PROTESTS TO: Gail Daugherty, Trans. Asst., I.C.C., U.S. Federal Bldg. & Courthouse, 517 East Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

MC 138345 (Sub-9TA), filed November 24, 1978. Applicant: BASIL B. GORDON, d.b.a. VALLEY SPREADER COMPANY, 260 N. Ninth St. (P.O. Box 673), Brawley, CA 92227. Representative: R.Y. Schureman, 1545 Wilshire Blvd. Los Angeles, CA 90017. *Liquid chemicals, in bulk and in drums, from the Port of Entry at the International Boundary between United States and the Republic of Mexico at Calexico, CA to points in Los Angeles and San Joaquin Counties, CA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Los Angeles Chemical Company, 4545 Ardine St., South Gate, CA 90280; and Occidental Chemical Company, P.O. Box 198, Lathrop, CA 95330. SEND PROTESTS TO: Irene Carlos, I.C.C., 300 North Los Angeles St., Rm. 1321, Los Angeles, CA 90012.*

MC 139420 (Sub-44TA), filed November 29, 1978. Applicant: ART GREENBERT, d.b.a. GLACIER TRANSPORT, P.O. Box 428, Grand Forks, ND 58201. Representative: James B. Hovland, 414 Gate City Building, P.O. Box 1680, Fargo, ND 58102. *Grain flour, and cereal, from the facilities of Roman Meal Co., at or near Fargo, ND, to Phoenix, AZ; Billings, MT; Las Vegas, NV; Albuquerque and Roswell, NM; Portland and Eugene, OR; Ogden, UT; and points in CA, CO, TX and WA, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Roman Meal Company, 2010 South Tacoma Way, Tacoma, WA 98409. SEND PROTESTS TO: Ronald R. Mau, ICC, Room 268 Federal Building and U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.*

MC 139457 (Sub-13TA), filed December 7, 1978. Applicant: G. L. SKIDMORE, d.b.a. JELLY SKIDMORE TRUCKING COMPANY, P.O. Box 38, Paris, TX 75460. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Ingredients and supplies used in the manufacture of canned and preserved foodstuffs, from Milwaukee, WI to the facilities of Campbell Soup (Texas) Inc., at or near Paris, TX, under a continuing contract(s) with Campbell Soup (Texas) Inc., for 180 days. SUP-*

*PORTING SHIPPER(S): Campbell Soup Company, Paris, TX. SEND PROTESTS TO: Opal M. Jones, ICC, 1100 Commerce Street, Room 13C12, Dallas, TX 75242.*

MC 139495 (Sub-399TA), filed November 24, 1978. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, Sullivan & Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. *Drugs, medicines, and toilet preparations, in vehicles equipped with mechanical refrigeration, from the facilities of Warner Lambert at or near San Antonio, TX to the facilities of Warner Lambert at or near Allen Park, MI, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Texas Pharmaceutical Company, Pharmaceutical Division, Warner Lambert Company, 182 Tabor Road, Morris Plains, NJ 07950. SEND PROTESTS TO: M. E. Taylor, I.C.C., 101 Litwin Bldg., Wichita, KS 67202.*

MC 141195 (Sub-7TA), filed December 6, 1978. Applicant: CAL-ARK, INC., R. R. 2 Armisties, Prairie Grove, AR 72104. Representative: Thomas W. Bartholomew, 854 Moline, P.O. Box 394, Malvern, AR 72104. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Polystyrene trays, from the facilities of Western Foam Pak, Inc., at Fresno, CA, to all points in the states of UT and AZ, and CO, under a continuing contract or contracts with Western Foam Pak, Inc., for 180 days. An underlying ETA seeks up to 90 days authority. SUPPORTING SHIPPER(S): Western Foam Pak, Inc., 5370 East Home, Fresno, CA 93727. SEND PROTESTS TO: William H. Land, Jr., DS, 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.*

MC 141804 (Sub-156TA), filed November 29, 1978. Applicant: WESTERN EXPRESS, Division of Interstate Rental, Inc., P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (Same as above). *Toys and pools and related articles, from Los Angeles and Long Beach CA to Amsterdam and Gloversville, NY, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Coleco Industries, Inc., Amsterdam, NY. SEND PROTESTS TO: Irene Carlos, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.*

MC 142948 (Sub-14TA), filed November 27, 1978. Applicant: THE GRADER LINE, INC., 434 Atlas Drive, Nashville, TN 37211. Representative: Lawrence C. Goddard, Suite C, Parkway Towers, 404 James Robertson Pkwy., Nashville, TN 37219. *Elec-*

*troless nickel plating solution requiring temperature controlled handling (except in bulk) between the plantsite of Elnic of TN, Inc., in Nashville, TN, and points in MN and NY, TX and OK, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Elnic Inc., 657 Massman Drive, Nashville, TN. SEND PROTESTS TO: Glenda Kuss, ICC, Suite A-422—U.S. Court House, 801 Broadway, Nashville, TN 37203.*

MC 142980 (Sub-1TA), filed November 27, 1978. Applicant: PROCESSING TRANSPORTATION, INC., P.O. Box 68 (Tanners Church Road), Conley, GA 30027. Representative: Mark C. Ellison, 235 Peachtree Street, Suite 1200, Gas Light Tower, P.O. Box 872, Atlanta, GA 30301. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Plastic bags, from the facilities of the Dixie Bag Company in College Park, GA to points in AL, FL, GA, KY, LA, MS, NC, OH, SC, TN, and VA, under a continuing contract with Dixie Bag Company, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Dixie Bag Company, 4880 Massachusetts Boulevard, College Park, GA 30337. SEND PROTESTS TO: Sara K. Davis, ICC, 1252 W. Peachtree Street NW., Room 300, Atlanta, GA 30309.*

MC 143179 (Sub-9TA), filed December 11, 1978. Applicant: CNM CONTRACT CARRIERS, INC., P.O. Box 1017, Omaha, NE 68101. Representative: Foster L. Kent (Same as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Wood excelsior products, from Rice Lake, WI, to points in AR, CO, IL, IN, IA, KS, LA, MA, MN, MO, NE, ND, OK, SD, and TX, under a continuing contract(s) with American Excelsior Company, for 180 days. SUPPORTING SHIPPER(S): American Excelsior Company, 850 Avenue East, P.O. Box 5067, Arlington, TX 76011. SEND PROTESTS TO: Carroll Russell, ICC, Suite 620, 110 No. 14th Street, Omaha, NE 68102.*

MC 143562 (Sub-2TA), filed December 8, 1978. Applicant: DONALD R. FORD, dba SERVICE TRANSPORT, P.O. Box 37, Burbank, WA 98323. Representative: Boyd Hartman, 10655 N. E. Fourth, Suite 210, Bellevue, WA 98004. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Blood, liquid, in bulk, from points in ID, WA, MT and OR to Wallula, WA, under a continuing contract(s) with Columbia Foods, Inc., a subsidiary of Iowa Beef Processors, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Columbia Foods, Inc., a subsidiary of*



Iowa Beef Processors, P. O. Box 494, Dakota City, NE 68731. SEND PROTESTS TO: Shirley M. Holmes, ICC, 858 Federal Building, Seattle, WA 98174.

MC 143754 (Sub-5TA), filed November 29, 1978. Applicant: MACZUK INDUSTRIES, INC., R.R. 2, New Haven, MO 63068. Representative: Richard P. Senecal, 817 Santa Fe, Atchison, KS 66002. *Molasses, feed and feed ingredients*, from Atchison, KS to points in KS, MO, NE, IA, CO, OK, and shipments in return from Nebraska City, NE to points in MO, NE, KS and IA, for 180 days. SUPPORTING SHIPPER(S): Industrial Molasses Division of Westway Trading Corp., 6600 France Avenue, Suite 670, Minneapolis, MN 55435. SEND PROTESTS TO: P. E. Binder, ICC, Room 1465, 210 N. 12th Street, St. Louis, MO 63101.

MC 143775 (Sub-40TA), filed November 29, 1978. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (Same as above). *Mushrooms and tomato sauce in cans*, combined and separated, in temperature controlled equipment, from Oxford, PA to states on and east of the Mississippi River (except PA), for 180 days. SUPPORTING SHIPPER(S): Oxford Corporation, P. O. Box 377, Oxford, PA 19363. SEND PROTESTS TO: Andrew V. Baylor, ICC, Room 2020 Federal Building, 230 N. First Avenue, Phoenix, AZ 85025.

MC 144298 (Sub-5TA), filed November 27, 1978. Applicant: MASTER TRANSPORT SERVICES, INC., 5000 Wyoming Avenue, Suite 203, Dearborn, MI 48126. Representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, MI 48080. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in mechanically-refrigerated equipment, from Detroit, MI to Sacramento, CA; Salt Lake City, UT; and Urbandale, IA, under a continuing contract with Fred Sanders, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Fred Sanders, 100 Oakman Boulevard, Detroit, MI 48203. SEND PROTESTS TO: Tim Quinn, ICC, 604 Federal Building and U.S. Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226.

MC 145082 (Sub-1TA), filed December 11, 1978. Applicant: JANNEY INDUSTRIES, INC., 1119 Beaver Street, Bristol, PA 19007. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lighting fixtures and materials and supplies* used in the manufacture or distribution of light-

ing fixtures, from the facilities of Keystone Lighting Corp., at or near Bristol, PA to points in AZ, CA, CO, ID, MT, NM, NV, ND, OR, SD, UT, WA and WY, under a continuing contract(s) with Keystone Lighting Corp., for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Keystone Lighting Corporation, Beaver Street and Route 13, Bristol, PA 19007. SEND PROTESTS TO: T. M. Espo, ICC, 600 Arch Street, Room 3238, Philadelphia, PA 19106.

MC 145384 (Sub-15TA), filed November 29, 1978. Applicant: ROSE-WAY, INC., 1914 E. Euclid, Des Moines, IA 50306. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Steel, stainless steel, nickel and aluminum*, from the facilities of A.M. Castle and Co., at Franklin Park, IL to Salt Lake City, UT, and Fresno, Los Angeles, and San Francisco, CA, and points in their commercial zones, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): A. M. Castle and Co., 3400 North Wolf Road, Franklin Park, IL 60131. SEND PROTESTS TO: Herbert W. Allen, ICC, 518 Federal Building, Des Moines, IA 50309.

MC 145397 (Sub-3TA), filed November 27, 1978. Applicant: P. A. JOHNSON & CO., 1220 Monroe Avenue, River Forest, IL 60305. Representative: John F. Kelly (Same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* for the National Starch & Chemical Corporation, to include commodities that require protection from freezing, not to include commodities in bulk, from the plant site of National Starch & Chemical Corporation at Chicago, IL to points in the states of IN, IA, MI and WI, for 180 days. RESTRICTION: Above authority restricted to seasonal operation; November through April. SUPPORTING SHIPPER(S): National Starch and Chemical Corporation, P. O. Box 6500, Bridgewater, NJ 08817. SEND PROTESTS TO: Lois M. Stahl, ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 145599 (Sub-1TA), filed November 27, 1978. Applicant: NANCY L. GUY, d.b.a. GUY TRUCKING CO., Route 1, Whitwell, TN 37397. Representative: (Same as above). *Coal*, in bulk, in dump vehicles, from Mentone, AL to Chattanooga, TN, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Mobile Fuel Shipping Inc., P.O. Box 312, Mentone, AL 35984. SEND PROTESTS TO: Glenda Kuss, ICC, Suite A-422—U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 145634 (Sub-1TA), filed December 8, 1978. Applicant: PHILLIP W. GOETTLING, d.b.a. GOETTLING TRANSPORTATION, 2006 Benfield Road, Severna Park MD 21146. Representative: Chester A. Zyblut, 1030 15th Street, NW, Washington, DC 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory and photographic equipment and supplies* from Baltimore, MD to Washington, DC and its commercial zone, under a continuing contract(s) with VWR Scientific, Inc., for 180 days. SUPPORTING SHIPPER(S): VWR Scientific, Inc., 6601 Amberton Drive, Baltimore, MD 21227. SEND PROTESTS TO: ICC, 1025 Federal Building, Baltimore, MD 21201 (W. L. Hughes).

MC 145655 (Sub-2TA), filed December 11, 1978. Applicant: TYSON FOODS, INC., 2210 Oaklawn, P.O. Drawer E, Springdale, AR 72764. Representative: Michael H. Mashburn, 111 Holcomb, P.O. Box 869, Springdale, AR 72764. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from FL, IN, LA, MI, MO, NC, OH, TN, TX, VT, WA and WI to Springdale, AR, under a continuing contract(s) with Northwest Arkansas Paper Company, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Northwest Arkansas Paper Company, 500 East Meadow, P.O. Box 729, Springdale, AR 72764. SEND PROTESTS TO: William H. Land, Jr., ICC, 3108 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

MC 145669 (Sub-1TA), filed November 24, 1978. Applicant: PETROLEUM TANK LINE, 2600 Rice Avenue, West Sacramento, CA 95691. Representative: Alan F. Wohlstetter, 1700 K Street, NW, Washington, DC 20006. *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Butte, Contra Costa, Sacramento, San Mateo, San Joaquin, Solano and Yolo Counties, CA to points in Curry, Jackson, Josephine, Klamath and Lake Counties, OR and points in Carson City, Churchill, Douglas, Esmeralda, Eureka, Humboldt, Lander, Lyon, Mineral, Nye, Pershing, Storey and Washoe Counties, NV, for 180 days. SUPPORTING SHIPPER(S): Texaco, Inc., P.O. Box 52332, Houston, TX 77052. SEND PROTESTS TO: A. J. Rodriguez, 211 Main Street, Room 500, San Francisco, CA 94105.

MC 145688 (Sub-1TA), filed November 27, 1978. Applicant: FARMINGDALE TRUCKING CORP., 22 Carnegie Drive, Smithtown, NY 11787. Representative: Lester R. Gutman, 805 McLachlen Bank Building, 666 Elev-



enth Steet, NW, Washington, DC 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Wines and liqueurs*, in containers, from ports of entry in the New York, NY commercial zone to the facilities of Banfi Products, Inc., at or near Farmingdale, NY. (2) *Wines and liqueurs*, from the facilities of Banfi Products, Inc., at or near Farmingdale, NY, to points in the United States (except AK and HI), and (3) *Wines*, from San Jose, Ripon, and Modesto, CA, to the facilities of Banfi Products, Inc., at or near Farmingdale, NY, for 180 days. The transportation in (1), (2), and (3) above, to be under a continuing contract or contracts with Banfi Products, Inc. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Banfi Products, Inc., 200 Sherwood Drive, Farmingdale, NY 11735. SEND PROTESTS TO: Maria B. Kejss, ICC, 26 Federal Plaza, New York, NY 10007.

MC 145813 TA, filed November 27,

1978. Applicant: POINTS WEST TRUCKING, INC., P.O. Box 55085, Valencia, CA 91355. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Paper envelopes*, from Deer Park (Suffolk County), NY, to points in CA, OR, WA, AZ, NV, ID and UT, for 180 days. SUPPORTING SHIPPER(S): Commercial Envelope Manufacturing Company, Inc., 900 Grand Blvd., Deer Park, Long Island, NY 11729. SEND PROTESTS TO: Irene Carlos, Trans. Asst., I.C.C., Rm. 1321, Federal Bldg., 300 North Los Angeles St., Los Angeles, CA 90012.

MC 145872 TA, filed December 6, 1978. Applicant: TREVIS BERRY TRANSPORTATION, P.O. Box 1802, Gilroy, CA 95020. Representative: Trevis L. Berry, 655 Luchessa (Same as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, fibreboard or paper, NOI; VIZ: rolls; corrugated boxes, KD flat; sheets, corrugated, flat; corrugated fillers, pads, or partitions, NOI, flat,*

*KD Flat or folded flat*, from the facilities of Hoerner Waldorf-Champion International Corporation, at or near Salinas, CA to Reno and Sparks, NV; and *Waste products; viz: scrap paper and paper products*, from Reno and Sparks, NV to points in Alameda, Contra Costa, Monterey, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Solano, Stanislaus, and Yolo Counties, CA, under a continuing contract(s) with Hoerner Waldorf Champion International Corporation, for 180 days. An underlying ETA seeks 90 days authority. SUPPORTING SHIPPER(S): Hoerner Waldorf Champion International Corporation, P.O. Box 1211, Salinas, CA 93901. SEND PROTESTS TO: Michael M. Butler, ICC, 211 Main—Suite 500, San Francisco, CA 94105.

By the Commission.

H. G. HOMME, Jr.,  
Secretary.

[FR Doc. 79-2229 Filed 1-22-79; 8:45 am]



# sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552(b)(3)

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### [6320-01-M]

1

[M-190 amdt 3, Jan. 17, 1979]

#### ADDITION OF ITEMS TO THE JANUARY 18, 1979 MEETING AGENDA

#### CIVIL AERONAUTICS BOARD.

TIME AND DATE: 10 a.m., January 18, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue, NW., Washington, D.C. 20428.

SUBJECT: 9b. Docket 33776, Application of Northwest Airlines for unused authority (Detroit-Boston)—Motion of North Central Airlines for a stay of Order 78-12-166 pending judicial review (BPDA, Memo No. 8444). 16a. Dockets 34138, 34100, 34089 and 34132 Commuter/Certificated carrier joint fares (OGC, BPDA, Memo No. 8311B).

STATUS: Open.

#### PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: North Central's motion for stay by the Board was filed in the late afternoon of January 11. On January 12 North Central filed in the court of appeals a motion for summary reversal or judicial stay of Order 78-12-166. The Litigation Division of OGC advises BPDA they consider it essential that the court should have the benefit of the Board's own views on the legal points raised concerning this staff-issued order. Since it will not be possible to prepare and clear an order disposing of these points in time for this week's meeting, OGC has asked BPDA to prepare and have placed on the January 18 agenda an order deposing the stay but taking review of Order 78-12-166 on the Board's own motion, with the order on review to follow. Because of the timing of North Central's filing, the first order could not have been

prepared any earlier. Item 16a is being added to the January 18, 1979 agenda since the order, if adopted, will extend both the uniform method of constructing, and, on an interim basis, the uniform method of dividing joint fares to commuter/certificated carrier connections as of January 22, 1979. Because the expedited schedule in this proceeding and the need to coordinate OGC's recommendation with the Director of BPDA, the staff recommendation could not be provided to the Board in time for inclusion in the published calendar. Accordingly, the following Members have voted that agency business requires the addition of Items 9b and 16a to the January 18, 1979 agenda and that no earlier announcement of these additions was possible:

Chairman, Marvin S. Cohen  
Member, Richard J. O'Melia  
Member, Elizabeth E. Bailey  
Member, Gloria Schaffer

[S-144-79 Filed 1-19-79; 10:54 am]

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### [6320-01-M]

[M-190 amdt 4, Jan. 18, 1979]

#### DELETION OF ITEM FROM THE JANUARY 18, 1979 MEETING AGENDA

#### CIVIL AERONAUTICS BOARD.

TIME AND DATE: 10 a.m., January 18, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 18. Docket 30777, IATA agreement proposing a four percent currency related surcharge on fares from the United States to Japan, and for percent discount on fares from Japan to the United States. The Embassy of Japan has submitted comments, through the Department of State, arguing that the surcharge is justified to reduce the present directional differential in U.S./Japan fares; (Memo 8071-B, BPDA, OGC, BIA).

STATUS: Open.

#### PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: Item 18 was deleted from the January 18, 1979 agenda in order to give the Board Members additional time to review the case and also to consider

whether this item should be taken up in closed session. Accordingly, the following Members have voted that agency business requires the deletion of Item 18 from the January 18, 1979 agenda and that no earlier announcement of this deletion was possible:

Member, Richard J. O'Melia  
Member, Elizabeth E. Bailey  
Member, Gloria Schaffer

[S-150-79 Filed 1-19-79; 3:50 pm]

### [6320-01-M]

3

[M-191, Jan. 18, 1979]

#### SHORT NOTICE OF MEETING FOR JANUARY 24, 1979

#### CIVIL AERONAUTICS BOARD.

TIME AND DATE: 10 a.m., January 24, 1979.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

#### SUBJECT:

1. Ratification of items adopted by notation.

2. Docket 32318—Deregulation of freight forwarders and cooperative shippers associations, (OGC, Memo No. 7828-A)

3. Docket 32828, Application of North Central Airlines, Inc. for Milwaukee-Toronto nonstop authority (Memo No. 8447, BIA, OGC)

4. Dockets 33703, 33744, 33934 and 34437; Braniff's Motion for Hearing on its Certificate Application for Dallas/Fort Worth-Cincinnati/Indianapolis Nonstop Authority and Allegheny's Ozark's, and Texas International's applications respectively, requesting similar authority and Motions to Consolidate (Memo No. 8442, BPDA, OGC BALJ)

5. Dockets 33527, 33615, 33923, 33901, 33665, 33826, 33659 and 33890. Petitions of Frontier, Northwest, American, Ozark, Western, Continental, and Trans World for Amendments of Certificates of Public Convenience and Necessity and Application of Hughes Airwest for an exemption (Memo 8443, BPDA, OGC and BALJ)

6. Dockets 31496 and 33280, Piedmont's and Southern's applications for authority between the coterminals Charleston and Columbia, South Carolina, on the one hand, and the coterminals Miami and Ft. Lauderdale, on the other. (Memo No. 8160-B, BPDA)

7. Dockets 28944, 29085 and 33970, Application of Allegheny for Deletion of Youngstown, Ohio; Petition for Reconsideration of Order 77-7-62 denying suspension at Youngstown, Ohio and Notice of termination of Allegheny's service at Youngstown under Section 401(j) (BPDA, OCCR)



8. Dockets 33971 and 33302, TXI's notice of intent to suspend service at Hot Springs (BPDA, OCCR)

9. Docket 33927; National's 90-day Notice to Suspend service at Providence (Memo 8445, BPDA, OCCR)

10. Dockets 33075, 34057, and 34068, Frontier's application for a three year suspension of service at Columbus, Hastings, Kearney, and McCook, Nebraska; Frontier's application for an exemption to reduce the minimum 90-day notice requirements of section 401(j) and 419(a)(3) of the Act, so as to coordinate its termination of service with the commencement of replacement service by Pioneer at these Nebraska cities; Petition of the City of Kearney and the Kearney Municipal Airport Corporation for the determination of its essential air transportation and the prohibition of any reduction of certificated service pending such determination and establishment of acceptable replacement service and Frontier's application and notice of intent to suspend service at Columbus, Hastings, Kearney, and McCook under section 401(j) and 419(a)(3) of the Act. (BPDA, OCCR)

11. Draft Notice of Proposal Rulemaking to expand the current exemption to air carriers from sections 408(a)(2) and (a)(3) contained in Part 299 of the Board's Regulations and to extend the exemption to other persons (BPDA, OGC, BCP, BIA)

12. Docket 30226, Final Future Subsidy Mail Rate for Kodiak-Western Alaska Airlines, Inc. (BPDA, OC, OCCR, OGC)

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, 202-673-5068.

**SUPPLEMENTARY INFORMATION:** The Chairman's schedule has been changed in order that he be able to attend the CAB Regional Hearings in Atlanta, and therefore a quorum will not be present at the regularly scheduled Board Meeting on Thursday, January 25. As a result, the Sunshine meeting will be held on Wednesday, January 24, 1979. Accordingly, the following Members have voted that agency business requires that the Board meet on less than seven days' notice and that no earlier announcement of this meeting was possible:

Chairman, Marvin S. Cohen  
Member, Richard J. O'Melia  
Member, Elizabeth E. Bailey  
Member, Gloria Schaffer

[S-151-79 Filed 1-19-79; 3:50 pm]

[6570-06-M]

4

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.**

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT S-68-79.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m. (eastern time), Tuesday, January 16, 1979.

**CHANGE IN THE MEETING:** The following matter is added to the agenda for the open portion of the meeting:

Proposed Revision of Jurisdictional Boundaries for Field Offices.

A majority of the entire membership of the Commission determined by recorded vote that the business of the Commission required this change and that no earlier announcement was possible.

**IN FAVOR OF CHANGE:** Eleanor Holmes Norton, Chair; Ethel Bent Walsh, Commissioner; Armando M. Rodriguez, Commissioner; J. Clay Smith, Jr., Commissioner.

**OPPOSED:** None.

**CONTACT PERSON FOR MORE INFORMATION:**

Marie D. Wilson, Executive Officer, Executive Secretariat, at 202-634-6748.

This Notice Issued January 12, 1979.

[S-146-79 Filed 1-19-79; 10:54 am]

[6712-01-M]

5

**FEDERAL COMMUNICATIONS COMMISSION.**

TIME AND DATE: 9:30 a.m., Thursday, January 25, 1979.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Special Open Commission Meeting.

**MATTERS TO BE CONSIDERED:**

*Agenda, Item No., and Subject*

Common Carrier-1—Order resolving all outstanding petitions for reconsideration (and related comments and filings) on telephone equipment registration proceedings in Docket Nos. 19528, 20774 and 21182.

Common Carrier-2—Provision of domestic facilities to International Record Carriers by AT&T, (CC Docket No. 21499).

Common Carrier-3—GTE Acquisition of Telenet.

Common Carrier-4—Application of French Telegraph Cable Company seeking authority to establish facilities for the provision of its authorized international services from the gateways of San Francisco and Washington, D.C. in addition to its New York gateway.

Common Carrier-5—Petition filed by RCA Global Communications, Inc. of rule revisions reducing pleading periods for filing petitions to suspend tariff filings and replies thereto.

Common Carrier-6—Applications by Corporation for Public Broadcasting, National Public Radio and the licensees of noncommercial educational radio stations; and by Western Union Telegraph Company.

Common Carrier-7—Various pleadings filed in Docket No. 21256, inquiry into the quality of service and the terms and conditions

of interconnection between Carpenter Radio Company and United Telephone Company of Ohio.

Common Carrier-8—Public Message Telegraph Inquiry (CC Docket Nos. 78-95 and 78-96).

Common Carrier-9—Request for declaratory ruling by Graphnet Systems, Inc. concerning Electronic Computer Originated Mail, a proposed electronic mail offering.

General-1—Application for review of Broadcast Bureau ruling granting the Freedom of Information Act request filed by Alaskans for Better Media (FOIA Control No. 8-134).

This meeting may be continued the following workday to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from the FCC Public Information Office, telephone number 202-632-7260.

Issued: January 19, 1979.

[S-148-79 Filed 1-19-79; 2:31 pm]

[7025-01-M]

6

**INTER-AMERICAN FOUNDATION.**

TIME AND DATE: 12:30 p.m., February 5, 1979.

PLACE: Board Room, Inter-American Foundation, 1515 Wilson Boulevard, Arlington, Va. 22209.

STATUS: Open.

**MATTERS TO BE CONSIDERED:**

1. Chairman's Report
2. President's Report
3. Financial Report
4. Dissemination Discussion
5. Country Overview

**CONTACT PERSON FOR MORE INFORMATION:**

Lawrence E. Bruce, Jr., 703-841-3812.

[S-147-79 Filed 1-19-79; 10:54 am]

[4410-01-M]

7

**UNITED STATES PAROLE COMMISSION:** National Commissioners (the Commissioners presently maintaining offices at Washington, D.C. Headquarters).

TIME AND DATE: Wednesday, January 24, 1979, at 9 a.m.

PLACE: Room 818, 320 First Street NW., Washington, D.C. 20537.

STATUS: Closed, pursuant to a vote to be taken at the beginning of the meeting.

**MATTER TO BE CONSIDERED:** Referrals from Regional Commissioners of approximately 20 cases in which in-



mates of Federal Prisons have applied for parole or are contesting revocation of parole or mandatory release.

#### CONTACT PERSON FOR MORE INFORMATION:

A. Ronald Peterson, Analyst, 202-724-3094.

[S-149-79 Filed 1-19-79; 3:24 pm]

[8120-01-M]

8

#### TENNESSEE VALLEY AUTHORITY (MEETING NO. 1208).

TIME AND DATE: 10:30 a.m., Thursday, January 25, 1979.

PLACE: Conference Room B-32, West Tower, 400 Commerce Avenue, Knoxville, Tenn.

STATUS: Open.

#### MATTERS FOR ACTION:

##### OLD BUSINESS

1. Req. No. 823481—Fire alarm system for the Hartsville and Phipps Bend Nuclear Plants.

##### NEW BUSINESS

#### CONSULTING AND PERSONAL SERVICE CONTRACTS:

1. Renewal of consulting contract with Dr. Frank E. Perkins, Cambridge, Massachusetts, for advice and assistance in connection with studies relating to siting and licensing for nuclear generating plants, requested by the Division of Water Management.

#### PURCHASE AWARDS:

1. Req. No. 823205—Electrode boiler packages for the Yellow Creek Nuclear Plant.  
2. Req. No. 108149 (Reissue)—Galvanized structural tower steel for various transmission lines.  
3. Req. No. 825047—Structural steel framing for duct, precipitator supports and stair-air separator tower for Cumberland Steam Plant.

#### POWER ITEMS:

1. New Power contract with Hooker Chemicals & Plastics Corporation.  
2. Lease and amendatory agreement with Chickasaw Electric Cooperative—TV's Oakland Substation in Fayette County, Tennessee.  
3. Rental and amendatory agreement with the city of Chattanooga, Tennessee, covering arrangements for 161-kV service at TVA's Chickamauga Hydro Plant Substation.  
4. Agreement between distributors of TVA power and TVA—participation in Heat Pump Financing Plan for TVA area.

#### REAL PROPERTY TRANSACTIONS:

1. Sale of permanent easement affecting approximately 1.03 acres of Fort Loudon Dam Reservation land in Loudon County, Tennessee—Tract XFL-117H.

#### UNCLASSIFIED:

1. Interagency agreement with the Department of Energy covering arrangements for an evaluation project to reduce boiling water reactor use of uranium ore.  
2. Adoption of supplemental resolution authorizing 1979 Series A Bonds.  
3. Resolution authorizing the Chairman and other Executive Officers to take further action relating to issuance of sale of 1979 Series A Bonds.  
4. Agreement with Small Business Administration concerning programs for furthering participation in TVA's purchases by small businesses, including minorities.

Dated: January 18, 1979.

#### CONTACT PERSON FOR MORE INFORMATION:

Lee C. Sheppard, Acting Director of Information, or a member of his staff can respond to requests for information about this meeting. Call 615-632-3257, Knoxville, Tennessee. Information is also available at TVA's Washington Office, 202-566-1401.

[S-145-79 Filed 1-19-79; 10:54 am]



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TUESDAY, JANUARY 23, 1979

PART II



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**INTERNATIONAL  
COMMUNICATION  
AGENCY**

■

**PRIVACY ACT OF 1974**

**Systems of Records; Annual  
Publication**



[8230-01-M]

# INTERNATIONAL COMMUNICATION AGENCY

## PRIVACY ACT OF 1974

### Transfer of Systems of Records Existing and Proposed

AGENCY: International Communication Agency

ACTION: Notice of transfer and adoption of new systems of records.

SUMMARY: Systems of records of the United States Information Agency and the Bureau of Educational and Cultural Affairs of the Department of State have been transferred to the International Communication Agency. The Agency's systems of records have been amended to reflect those changes made necessary by its reorganization.

In addition to the amendments, US/ICA proposes to adopt the following new records systems:

#### USICA-54

System name: Incentive Awards File-MGT/P-USICA

#### USICA-55

System name: Educational and Cultural Exchange Program Records-ECA-USICA

#### USICA-56

System name: Exchange Visitor Waiver Records-GC-USICA

EFFECTIVE DATE: The new systems shall become effective without further notice in 30 calendar days (February 21, 1979) unless comments are received on or before February 21, 1979, which would result in a contrary determination.

ADDRESS: Written comments should be directed to: Mr. Michael Pistor, Office of Congressional and Public Liaison, Room 1019, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Jones, Access to Information Officer, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547, phone (202) 724-9130.

SUPPLEMENTARY INFORMATION: The International Communication Agency was established by Reorganization Plan No. 2 of 1977, which was made effective April 1, 1978, by Executive Order 12048, dated March 28, 1978. Reorganization Plan No. 2 provided for the transfer of all functions of the United States Information and Educational Exchange Act of 1948, as amended, P.L. 80-402, and the Mutual Educational and Cultural Exchange Act of 1961, as amended, P.L. 87-256, from the United States Information Agency and the Bureau of Educational and Cultural Affairs of the Department of State to the International Communication Agency.

By Determination Orders dated April 5, 1978, the Director of the Office of Management and Budget transferred all records of the United States Information Agency which had not been forwarded to the Archives for retention and active records of the Bureau of Educational and Cultural Affairs, Department of State, to the International Communication Agency.

All systems of records of the United States Information Agency have therefore been amended to reflect this transfer to the International Communication Agency.

The records of the Bureau of Educational and Cultural Exchange of the Department of State which were subject to the Privacy Act were contained in the system State-08 Educational and Cultural Exchange Program Records (42 FR 49703, September 27, 1977). When these records were transferred to the International Communication Agency, a portion of the records was transferred to the General Counsel and the remainder was retained by the Associate Director for Educational and Cultural Affairs. The systems of records of the International Communication Agency have therefore been amended to adopt the records transferred from the Bureau of Educational and Cultural Affairs of the Department of State by adding USICA-55 Educational and Cultural Exchange Program Records-ECA-USICA and USICA-56 Exchange Visitor Waiver Records-GC-USICA. No information not previously maintained in the system State-08 is maintained in USICA-55 or USICA-56.

The International Communication Agency also proposes to establish a new system of records USICA-54 Incentive Awards File-MGT/P-USICA. The information in this file was formerly contained in USIA-9 Employee Awards, Health Programs, Retirement and Out-Placement records-IPT-USIA. Due to internal reorganization of the Agency, the Agency proposes to remove the data relating to employee awards, establish a separate system of records

for this material, and rename the former system USICA-9 Retirement and Insurance Records-MGT/P-USICA.

Public comment is invited on the proposed new records systems.

The prefatory statement containing general routine uses applicable to all of the Agency's systems of records was published at 42 FR 48245 (September 22, 1977).

Issued at Washington, D.C., October 22, 1978.

CHARLES W. BRAY III,  
Deputy Director.

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- USICA-39. Employee Parking-USICA
- USICA-40. Employment Requests-MGT/P
- USICA-41. Exhibit Guide Training File-PGM/E
- USICA-42. Exhibit Specialist Grantees-PGM/E
- USICA-43. Foreign Service Locator File-MGT/P
- USICA-44. Office of Cultural Center Resources Contractors and Grantees-ECA/F
- USICA-45. Mailing Lists-MGT/ADR
- USICA-46. Officer Assignment Requests-MGT/P
- USICA-47. Official Travel Records-MGT/ADT
- USICA-48. Photographers and Photographs for Exhibits Use-PGM/E
- USICA-49. Records on Shipment of Effects, Unaccompanied Baggage and Automobile-MCT/CF
- USICA-50. Salary Computation Records-MGT/CB
- USICA-51. Travel Authorization Obligation File-MGT/CF
- USICA-52. Source File-PGM/T
- USICA-53. Privacy Act/Freedom of Information Act File-CPL
- USICA-54. Incentive Awards File-MGT/P
- USICA-55. Educational and Cultural Exchange Program Records-ECA
- USICA-56. Exchange Visitor Waiver Records-GC



## USICA-1

**System name:** Americans Residing in Foreign Countries—USICA

The International Communication Agency maintains establishments overseas in 120 foreign countries, which are designated as mission posts, branch posts, regional service centers, VOA relay stations and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any of our overseas locations may contact the Agency's Office of Congressional and Public Liaison, Room 1019, 1750 Pennsylvania Avenue, N.W., Washington, D.C., 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Sec. 504.2.

American citizens and aliens admitted for permanent U.S. residence, who are residing Overseas, i.e., journalists, businessmen, scholars, artists, representatives of other U.S. Government agencies, missionaries.

**Names and addresses:**

Public Law 402, Information and Educational Exchange Act of 1948; Federal Records Act, 44 U.S.C. 3101.

Distribution of printed matter; invitation lists of official social functions and programs; selection of candidates for temporary employment, as needed; location of specialist to arrange, conduct, appear in or appraise Agency programs organized overseas; press briefings for American journalists residing in foreign countries; appraisal of American specialists whose services are utilized in Agency programming overseas.

**Also see Prefatory Statement of General Routine Uses.**

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies having statutory or other legal authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Addressograph plates or paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Records are kept in locked file cabinets or in locked rooms when not in use.

**Retention and disposal:** Records are updated regularly, and metal plates or paper files no longer useful or current are destroyed.

**System manager(s) and address:** See "System Location" above.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C., 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information obtained from the individual concerned.

## USICA-2

**System name:** Artists and Speakers—NEA

**System location:** Office of the Assistant Director of North African, Near Eastern and South Asian Affairs, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Artists and speakers considered qualified to conduct programs at USICA's overseas posts in the Near East, North Africa and South Asia.

**Categories of records in the system:** Biographic data on speakers and artists; evaluation reports of past service with USICA; travel arrangements; program arrangements.

**Authority for maintenance of the system:** The Federal Records Act, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide basic personnel

and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By the name of the individual concerned.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records are held as long as the individual is a prospective speaker or artist needed for or willing to conduct programs overseas.

**System manager(s) and address:** Office of Director, North African, Near Eastern and South Asian Affairs, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information provided by the individual artists and speakers; evaluation of speaker or artist by overseas posts; public documents and publications.

## USICA-3

**System name:** Bidders Mailing List Application—MGT/AC

**System location:** International Communication Agency, Contract and Procurement Division, 1717 H Street, NW., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Prospective Government contractors and Agency contractors.

**Categories of records in the system:** Information is contained on a standard form which requests the individual's name and address, type of business, number of employees, average annual sales or receipts, facilities (space), net worth, security clearances held, and a certification of the accuracy of the information provided on the form.

**Authority for maintenance of the system:** Federal Procurement Regulations (41 CFR 1-2.205-1(c) and 1-16.802).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To prepare the Agency's Bidders Mailing List and for use of contracting specialists to determine adequacy of facilities, and financial responsibility of prospective contractors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the General Services Administration.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information included on Standard Form 129, and maintained in binders.

**Retrievability:** By the name of the individual.

**Safeguards:** Maintained in combination lock file cabinet, available only to authorized personnel.

**Retention and disposal:** A routine update of information is conducted approximately every five years. Outdated information disposed of by burning.

**System manager(s) and address:** Agency Contracting Officer, Contract and Procurement Division, 1717 H Street, N.W., Washington, D.C. 20547.



**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information provided by individuals, companies and corporations.

#### USICA—4

**System name:** Contract Talent and Employee Recruitment Files-PGM/T

**System location:** International Communication Agency, Television and Film Service, 601 "D" Street, N.W., Washington, D.C. 20547. International Communication Agency, Television and Film Service, 1657 Broadway, New York, New York 10019.

**Categories of individuals covered by the system:** Job applicants; professional talent specialists in languages, camera, acting, etc., contractual motion picture and television producers.

**Categories of records in the system:** Records on individuals who have applied for employment as free-lance talent; correspondence between contractual motion picture and television producers; film review sheets; producer questionnaire forms; duplicate copies of security clearance information on talent vendors and contractual producers; card files on applicants for employment with USICA's Television Service and Film Service.

**Authority for maintenance of the system:** Federal Records Act, 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To identify sources for contract productions; to identify individuals who have applied to USICA for employment as free-lance talent vendors; to fill vacant positions in production and/or technical positions as they become vacant; to determine security clearance status of contractual individuals or companies. Also see Prefatory Statement of General Routing Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card records and paper records in file folders.

**Retrievability:** By name of the individual concerned.

**Safeguards:** Maintained in locked file cabinets and available only to authorized personnel.

**Retention and disposal:** Records on talent vendors and contractual producers retained indefinitely; records on job applicants retained for ten years, and disposed of in accordance with internal schedules for retention and disposal of files.

**System manager(s) and address:** Chief, Television and Film Service, 601 "D" Street, N.W., Washington, D.C. 20001. Executive Officer, Television and Film Service, 601 "D" Street, N.W., Washington, D.C. 20001.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Provided by vendors, contractors and job applicants concerned; by employees of USICA's Television and Film Service.

#### USICA—5

**System name:** Contract Talent Vendor Files-VOA

**System location:** International Communication Agency, Voice of America, HEW North Building, 330 Independence Ave., S.W., Washington, D.C. 20547.

International Communication Agency, Voice of America, 25 "M" Street, S.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All contract talent vendors who perform free-lance services in the U.S. for the Voice of America.

**Categories of records in the system:** Records and information pertaining to the testing and qualifications of vendors; security clearance applications and approvals; copies of contracts, and detailed record of services performed by vendors and payments made by VOA for these services.

**Authority for maintenance of the system:** Public Law 402: United States Information & Educational Exchange Act of 1974, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Provide necessary reference information for use by VOA administrative offices in meeting their daily responsibilities of advising on and coordinating programming and fiscal activities relating to the recruitment and contracting of free-lance talent vendors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. These records are not normally available to individuals and agencies outside the International Communication Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** All information is retained in document form in file folders.

**Retrievability:** Files are indexed alphabetically by vendor.

**Safeguards:** All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need to know such information in the normal performance of their duties.

**Retention and disposal:** Files are retained for three to four years after last date of services rendered by vendor, after which time files are then destroyed in accordance with established USICA records-disposal procedures.

**System manager(s) and address:** Director of Administration, Voice of America, Room 3360, HEW North Building, 330 Independence Ave., S.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information is received from vendor (application forms); from USICA Security Office (approval of security clearance request); from documents generated through the normal process of using a vendor and making payments for services rendered (purchase orders and payment records).

#### USICA—6

**System name:** Office of Cultural Centers and Resources Recruitment Files-ECA/F

**System location:** International Communication Agency, Educational and Cultural Affairs, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** American Scholars who may be used as consultants or specialists in American studies domestically or overseas; applicants for employment, contracts or grants with regard to USICA's Library Program and Library Fellows; applicants for employment, contracts or grants with regard to USICA's English Teaching Program; other applicants for employment, contracts or grants with regard to specific positions in overseas cultural operations.



**Categories of records in the system:** Biographic data on American Scholars provided by the individuals themselves upon request; biographic data on applicants for employment, contracts and grants including previous employment, education, recommendations and security clearance status; library field reports, comments and evaluation on library visits written by Public Affairs Officers, and letters of correspondence between supervisors and librarians.

**Authority for maintenance of the system:** Executive Order 11034, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Screening of applicants for employment, contracts or grants, for appraisal by Agency's geographic area offices and Public Affairs Officers located overseas; evaluation by Library Program Staff of candidates for librarian positions; to develop work requirements for regional librarians; to identify scholars with skills related to academic projects. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Files retained as long as they are of active interest or the individual is employed. Inactive files destroyed by burning.

**System manager(s) and address:** Director, Office of Cultural Centers and Resources, 1717 H St., N.W., Washington D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Records on American Scholars provided by applicants; records on all other applicants are submitted to the Agency or authorized by the applicants.

#### USICA—7

**System name:** Director's Secretariat Staff Files D/SS

**System location:** International Communication Agency, Executive Secretariat, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Members of the White House Staff, Congressmen, heads of other executive agencies of the Federal Government, Federal Judges and members of the general public.

**Categories of records in the system:** Correspondence addressed to the director of USICA, and copies of responses to requests for reports, information and/or assistance of various kinds prepared by the Director or his or her designated representative.

**Authority for maintenance of the system:** The Federal Records Act of 1950, as amended, 44 USC 3101-3107; Records Disposal Act of 1943, as amended, 44 USC 3301-3314.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference file to provide oversight of the flow of requests to the USICA Director for reports, information and/or assistance of various kinds, and to monitor the accomplishment of responses to such requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are stored in a computer maintained by and located within the U.S. Department of State, and maintained as paper records in file folders in USICA.

**Retrievability:** Records are cross-indexed by individual name and by computer reference number.

**Safeguards:** Computer records are accessible only to authorized employees of the International Communication Agency or the Department of State. Paper records are kept in locked file cabinets.

**Retention and disposal:** Records are maintained indefinitely.

**System manager(s) and address:** Chief, Executive Secretariat, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Unsolicited correspondence from U.S. Government officials and members of the general public addressed to the Director of USICA.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H) and (I). See amendments to 22 CFR, Chapter V, Sec. 505.15 as published in the proposed rules section of the Federal Register for December 10, 1976.

#### USICA—8

**System name:** Employee Administrative Files VOA.

**System location:** International Communication Agency, Voice of America, HEW North Building, 330 Independence Avenue, S.W., Washington, D.C. 20547.

**International Communication Agency, Voice of America, Engineering Division, 25 "M" Street, S.W., Washington, D.C., 20547. Also see Appendix II for locations of domestic relay stations.**

**Categories of individuals covered by the system:** Voice of America domestic employees and overseas American employees.

**Categories of records in the system:** Records and information pertaining to testing, recruitment and appointment of employees (application forms, fiscal documents covering related expenses); records concerning post-appointment changes in employee skills, qualifications, and experience; copies of SF-50 "Notice of personnel Action" and payroll change slips.

**Authority for maintenance of the system:** Public Law 402, United States Information and Educational Exchange Act of 1948, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Files maintained for convenience due to physical separation from Personnel Office; provide necessary background/reference information for use by VOA Administrative Offices in meeting their daily responsibilities of advising on and co-ordinating programming, personnel and fiscal activities relating to recruitment, hiring and employment of staff employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

These records are not normally available to individuals and agencies outside the International Communication Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** All information is retained in document form in file folders.

**Retrievability:** Files are indexed alphabetically by employee name.

**Safeguards:** All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need-to-know such information in the normal performance of their duties.



**Retention and disposal:** Files may be retained for up to ten years after departure of employee, then destroyed in accordance with established USICA records disposal procedures. Copies of documents for which originals exist in Official Personnel Folders and which are removed from official personnel folders when an employee resigns, are also removed from administrative files and destroyed.

**System manager(s) and address:** Director of Administration, Voice of America, Room 3360, HEW North Building, 330 Independence Avenue, S.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information is received from employees (application forms); from employees' supervisors (employees' experience, performance, and recommendations for promotions, etc.); from organizational personnel and fiscal elements (SF-50 personnel actions, payroll change slips, etc.).

#### USICA-9

**System name:** Retirement and Insurance Records—MGT/P-USICA.

**System location:** International Communications Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Agency employees in retirement processing; approaching mandatory retirement, or actually retired from the Agency.

**Categories of records in the system:** Retirement service history (Agency only); computer listing of (1) persons retiring mandatorily within 90 days; (2) persons who are projected to retire within 5 years. Lists give name, DOB, SCD, Grade/Step, Salary, Location code, Retirement code.

**Authority for maintenance of the system:** FPM Supplement 831-1, 51, 58-2; 3 FAM 670; 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Processing retirement applications and counselling prospective retirees on annuities and other benefits. Also see Prefatory Statement of General Routing Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Manually by name of employee.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Retirement files retained indefinitely. Old computer listing destroyed when updated; individual retirement computation worksheets filed in employee's retirement file.

**System manager(s) and address:** Chief, Retirement and Insurance Branch, Office of Personnel Services (MGT/PDR), 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison (CPL), 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individual should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access, contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Employees; official personnel folder; supervisors; Agency's payroll and leave office; Civil Service Commission; Foreign Service Retirement Board.

#### USICA-10

**System name:** Employee Identification Card and Photograph File—MGT/S

**System location:** International Communication Agency, Office of Security, 1425 K Street, N.W. Washington, D.C. 20547.

**Categories of individuals covered by the system:** Current and past employees of the International Communication Agency.

**Categories of records in the system:** Personal description; date of birth; height; weight; color of hair and eyes; color photograph of full face.

**Authority for maintenance of the system:** Executive Order 11652 dated March 8, 1972.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Personal proof of employee identity; to provide Passport photos of employee and dependents for official use; provide photographs for official use by the office of Congressional and Public Liaison (USICA) and other Agency elements having official need to have visual identification records, such as a Senior Officer Staffing display. Photographs are also available to employees for official uses. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Written form record and photograph film.

**Retrievability:** By name of the individual employee.

**Safeguards:** Access by security-cleared employees having a need-to-know. When not in personal custody during processing, stored in combination-locked security container.

**Retention and disposal:** Records of former employees destroyed after five years under security controls. Records of current employees retained indefinitely, or until employee is separated.

**System manager(s) and address:** Director (USICA) Office of Security, 1925 K Street, N.W., Washington, D.C., 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, DC 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Applicant and employment records (with verification from the individual concerned).

#### USICA-11

**System name:** Employee Payroll and Retirement System—MGT/CF

**System location:** International Communication Agency, Financial Operations Division, 1717 H ST. NW., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Employees currently on Agency rolls.

**Categories of records in the system:** Civil Service and Foreign Service individual retirement records, time and attendance records (domestic employees only), master employee registers (domestic only), payroll folders, overseas pay cards for foreign service employees.

**Authority for maintenance of the system:** Section 113 of the Budget and Accounting Procedures Act of 1950 as amended

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To assure proper salary payment to employees and for reference regarding salary history; master record of employee accumulation and use of annual and sick leave; recording of employee contributions to the Civil Service and Foreign Service Retirement Systems. Also see Prefatory Statement of General Routine Uses.

Information is made available to personnel of the International Communication Agency on a need-to-know basis or as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are the U.S. Treasury, the Civil Service



Commission, and the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Time and attendance cards maintained on punched cards; retirement records are recorded on 5 x 7 cards and maintained in a file cabinet; the master employee register is a computer report; payroll records are maintained in manila folders; overseas pay cards are manually prepared or maintained as a computer report, depending upon the facilities available at various overseas locations.

**Retrievability:** By the name of the individual employee.

**Safeguards:** Records maintained in various types of containers; security provided by surveillance of responsible employees during working hours, and by building security guards during non-working hours.

**Retention and disposal:** Retirement records are forwarded to the Civil Service Commission for domestic employees, and the State Department for foreign service employees, upon retirement, resignation or transfer of employee. Payroll records are retired to Federal records Center, St. Louis, after two years.

**System manager(s) and address:** Chief, Financial Operations Division, 1717 H St., NW., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Various forms provided by individual and by USICA's Office of Personnel Services, i.e., personnel action forms, payroll change forms, Federal and state withholding exemption certificates, employee allotment deduction forms, time and attendance cards.

#### USICA-12

**System name:** Employee Relations Files—MGT/P—USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547

**Categories of individuals covered by the system:** Employees who have filed informal grievances or complaints, or formal grievances for Agency level review; employees affected by workforce or element reorganization; employees for whom special disciplinary actions are in process.

**Categories of records in the system:** All appropriate documents necessary in the processing of a grievance, such as position descriptions, performance evaluations, grievance investigation reports statements of supervisors, witnesses, representatives of grievant, and miscellaneous housekeeping records.

**Authority for maintenance of the system:** Agency's Manual of Operations and Administration; FPM 511—Subchapter 6; 44 USC 3101; P.L. 93-181; FPM Letter 630-22, FPM Chapters 335, 752, 831.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Investigation and resolution of employee grievances; provide information to the Foreign Service Grievance Board or Federal Appeals Boards as appropriate or necessary; provide investigatory or background materials to grievants or their representatives; provide information to the Agency's General Counsel in connection with the processing of a grievance, the prosecution of an appeal, or the processing of an adverse action. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency (ICA) in the performance of their official duties. The principal users of this information outside the International Communication Agency are: the Civil Service Commission, the Department of Justice; other federal, state and local law enforcement or agencies or accredited investigators. Information may also be released to other government agencies which have statutory or other legal authority to access or maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of individual.

**Safeguards:** Maintained in locked file cabinets; grievance files are extremely confidential and are protected as such.

**Retention and disposal:** Records retained indefinitely or until no longer needed.

**System manager(s) and address:** Chief, Labor Relations Branch((MGT/PPL), Office of Personnel Services, International Communication Agency, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Individual to whom the record pertains; Agency officials; affidavits or statements from employees; testimony of witnesses; correspondence from specific organizations or persons; employee's representative; and official documents relating to the appeal grievance or complaint.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register in July 21, 1976 (41 FR 30029).

#### USICA-13

**System name:** Employee Training Files—MGT/PT—USICA

**System location:** International Communication Agency, Office of Personnel Services, Training and Development Division, 1425 K Street, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Agency employees receiving training: workshops, languages, lectures or seminars, university or service colleges; personnel and management interns.

**Categories of records in the system:** Employee training applications, biographic data, educational background, record of training received by the Agency, outline of training program, performance evaluation extracts; language proficiency and test scores, course grade, and employee's evaluation of training courses.

**Authority for maintenance of the system:** P.L. 85-507, 72 Stat. 335, Reorganization Plan No. 8 of 1953, 22 U.S.C. 1461, 67 Stat. 642, P.L. 79-724, Foreign Service Act of 1946, as amended, FPM 410, Subch. 3.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Background material used to determine eligibility for training; assignment and progress in language courses; used by career counselors to determine training needs; justification of training reports and record-keeping; evaluation of intern training and potential for job growth; used to evaluate and select lecturers for agency workshops or seminars; preparation of reports to Congress and other government agencies on training provided and costs, as well as projected training needs and costs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the Agency are: the Civil Service Commission; personnel officers in other government agencies as a result of transfer of the individual to whom the records pertain; other agencies considering employees for detail purposes; accredited investigators.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Manually retrieved by name, by computer generated lists of training statistics, or by training course title.



**Safeguards:** File maintained in locked cabinets or protected by routine office safeguards, i.e., surveillance by responsible personnel and disclosure only to authorized individuals.

**Retention and disposal:** Training records maintained until employee is separated, at which time records are included with official personnel folder; other records are retained indefinitely or until no longer needed; budget records and cost statistics retained indefinitely.

**System manager(s) and address:** Chief, Training & Development Division (MGT/PT), Office of Personnel Services, 1425 K Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determination by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** The employee; employment applications; official personnel records; personnel action forms; personnel officers; training officers and other officers, involved in personnel management; supervisors; training records; application for training; trainee evaluations of courses.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

#### USICA-14

**System name:** Employee's Confidential Statement of Employment and Financial Interests-GC

**System location:** International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Experts or consultants, employees paid at the Executive Schedule level; employees classified at GS-13, FSIO-4, FSR-5, FSS-2, or above, who are in positions of responsibility for a Government decision or taking a Government action in regard to: (1) contracting or procurement; (2) Administering or monitoring grants or subsidies; (3) regulating or auditing private or other non-Federal enterprise; or required to report employment and financial interests in order to avoid possible conflicts of interest.

**Categories of records in the system:** Statements of personal and family shareholdings and other interest in business enterprises; copies of blind trust and other agreements pertaining to such interests; correspondence as to insulation of control or conflicts of interest; opinions of counsel, including recommendations on waivers.

**Authority for maintenance of the system:** E.O. 11222; 5 U.S.C. 7301; 18 U.S.C. 208.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Review by Assistant General Counsel for possible conflict of interest. Provide necessary reference information should allegations of conflict of interest arise. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Alphabetically by name and by Agency element or geographic area.

**Safeguards:** Maintained in bar-lock cabinet.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Disposed of 2 years after employee leaves a position in which a statement is required, or 2 years after the employee is separated from the Agency, whichever is earlier.

**System manager(s) and address:** General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individual who filed the statement.

#### USICA-15

**System name:** Equal Employment Opportunity Complaint Files—MGT/E.

**System location:** Office of Equal Employment Opportunity, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Any aggrieved employee or applicant for employment with USICA who believes he or she has been discriminated against because of race, color, religion, sex, national origin, and/or age, and who has consulted with an Equal Opportunity Counselor of the Agency or a member of the EEO Staff about the matter.

**Categories of records in the system:** Communications of EEO Counselor with aggrieved person, written report of precomplaint counseling efforts by the EEO Counselor, the complaint, the investigative file, written records of adjustment of complaint; written record of complaint withdrawal by complainant, Agency letter proposing disposition of the case, transcripts of hearing, Agency letter advising of final disposition of the case.

**Authority for maintenance of the system:** FPM Suppl. 990-1 (Part 713).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To record actions taken, with verifying statements, regarding employees' and employment applicants' complaints of discrimination. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are the Civil Service Commission and the Department of Justice.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Indexed by the individual's last name.

**Safeguards:** Records are stored in cabinets with bar locks. Except for copy of individual file provided to complainant and/or his or her representative, and copies furnished as needed to the office of the USICA General Counsel, and to officials of the Civil Service Commission and the Department of Justice, files are not removed from the EEO Office.

**Retention and disposal:** Records are maintained indefinitely.

**System manager(s) and address:** Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Personal interviews, affidavits, USICA personnel and employment records and procedures, transcript of hearings, and related correspondence.



Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

#### USICA-16

**System name:** Equal Employment Opportunity General Files MGT/E

**System location:** International Communication Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., D.C. 20547.

**Categories of individuals covered by the system:** Employees of the Office of Equal Employment Opportunity; employees selected for employment and applicants for positions with USICA; significant women, minority group members, and specialists in the area of Equal Employment Opportunity.

**Categories of records in the system:** Copies of applications and resumes of women and minority group members seeking employment with USICA; biographical materials describing significant women, minority group members and specialists in the area of Equal Employment Opportunity who can be used as speakers, selection board members, and consultants; miscellaneous information about individual employees and job applicants involved in the USICA Equal Employment Opportunity Affirmative Action Plan; training requests, travel documents, and notices of personnel actions for employees of the Office of Equal Employment Opportunity.

**Authority for maintenance of the system:** FPM Supplement 990-1, Part 713.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To supply names of women and minority group candidates to USICA recruitment officers; determine effectiveness of Agency's female and minority recruitment programs; select significant Equal Employment Opportunity speakers, consultants, and selection board members; maintain records of significant personnel actions involving employees in the Office of Equal Employment Opportunity. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

This information is available upon request to the Civil Service Commission.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Indexed by individual name and types of activity; e.g., speaker's file, Affirmative Action Plan file, travel file.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records maintained indefinitely.

**System manager(s) and address:** Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Correspondence; memos of conversation; Agency records of personnel actions; published biographical sources.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR, Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

#### ICA-17

**System name:** Foreign Service Selection board Files-MGT/P-USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C., 20547.

**Categories of individuals covered by the system:** Foreign Service employees of the Agency.

**Categories of records in the system:** Preprinted 5 x 8 cards containing data such as name, class, specialty code, position, date OER received by MGT/P; as appropriate, letters of commendation or low-ranking and comments of the selection boards on foreign service promotions contained in letter files.

**Authority for maintenance of the system:** Foreign Service Act of 1946, as Amended, Sec. 611; 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** preparation of promotion projections and foreign service information officer nominations lists; used to monitor and control receipt of Officer Evaluation Reports by MGT/P; used to prepare files and other information for Selection Boards may be used by Agency's Equal Employment Opportunity Officer, or the Labor Relations Branch (grievance examiners) in the event of an employee grievance. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the USICA is the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper and card records in file folders or metal card files.

**Retrievability:** Manually retrieved by individually name and class.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Maintained during period of employment with the Agency; records destroyed upon separation of the employee.

**System manager(s) and address:** Chief, Policies and Services Staff, Office of Personnel Services (MGT/PPS), 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in Rules Section of the Federal Register.

**Record source categories:** Reports of Selection Boards on the review of pertinent promotion documentation such as officer evaluation; notifications of personnel actions; foreign service residency and dependency reports; notifications to officers of low ranking; materials submitted by officer on his or her own behalf.

#### USICA-18

**System name:** Congressional Correspondence—CPL/USICA

**System location:** International Communication Agency, Office of (USICA) Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Current and former Members of Congress.

**Categories of records in the system:** Incoming and outgoing correspondence to Members of Congress, including requests for information and referral of job applicants by Members.

**Authority for maintenance of the system:** Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference file for oversight of Congressional requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency, as may be required in the performance of their duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency,



but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Indexed alphabetically by individual name.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Records are kept as long as the individual is a Member of Congress, or the files are of active interest. Thereafter the records are destroyed.

**System manager(s) and address:** Director, Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Communications from Members of Congress and copies of responses generated by various Agency personnel.

#### USICA-19

**System name:** Legal Files—GC

**System location:** International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Individuals who have filed grievances or discrimination complaints; employees separated or considered for separation for cause; officers selected out; individuals taking legal action against the Agency or its employees; tort claimants and accident victims; employees and related persons for whom legislative action is sought; personal property loss claimants; employees and applicants raising legal issues concerning rights or benefits.

**Categories of records in the system:** Investigatory reports; litigation reports; pre-hearing and trial preparatory materials; evidence for discovery and submission to hearing officers or courts; pleadings, briefs, transcripts, decisions and other related documents.

**Authority for maintenance of the system:** The Federal Records Act as amended, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To represent the Agency in claims and other actions; to issue legal opinions or determinations on further Agency action. Also see Prefatory Statement of General Uses.

**Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.**

**The principal users of this information outside the Agency are the Department of Justice, Department of State, Civil Service Commission, Foreign Service Grievance Board and the Employee Management Relations Committee.**

**Records contained in these files may be released to agencies outside the International Communication Agency who have statutory or other lawful authority to maintain such information.**

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By the name of the individual, and the nature of the legal action.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records may be retained indefinitely or disposed of when no longer useful or current.

**System manager(s) and address:** General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information provided by the individuals and their attorneys or representatives, and by employees of the Agency; information produced in the processing of a claim, grievance, legal action or issue.

**Systems exempted from certain provisions of the act:** Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these subsections is exempted from the notice, access and contest requirements (under 5 U.S.C. 552(a)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Agency regulations in order for the Agency's legal staff to properly perform its functions. See also 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

#### USICA-20

**System name:** Locator Cards—MGT/AA

**System location:** International Communication Agency, Domestic Support Division, Administrative Office, 1717 H Street, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Past and present domestic employees of USICA.

**Categories of records in the system:** Locator card prepared for each domestic employee, containing the name, office location, telephone number, home address and telephone number of person to contact in case of emergency.

**Authority for maintenance of the system:** USICA's Manual of Operations and Administration, Part-II 495.2.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To assist USICA elements and others in locating employees; basic input source for telephone directory; also see Prefatory Statement of General Routine Uses.

**Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.**

**The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.**

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Material maintained on index cards.

**Retrievability:** Filed alphabetically by name, sorted as to active and inactive.

**Safeguards:** Cards maintained in index card boxes which are locked in bar-lock cabinets after working hours.

**Retention and disposal:** Cards retained for one year after departure of employee and disposed of by shredding.

**System manager(s) and address:** Chief, Office of Administrative Services, Room 600, 1717 H Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** The individual on whom information is maintained.

#### USICA-21

**System name:** Employee Master Personnel Records—MGT/P-USICA.

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547; and International Communication Agency, 300 "C" Street, S.W., Washington, D.C. 20547. Computer tape and disc records are located in the Automatic Data Processing Division (MGT/AP), International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All Agency employees and reimbursables from other agencies.

**Categories of records in the system:** Data on employee's work experience, assignments, promotions, transfers, within-grade in-



creases, personnel actions, commendations, evaluations of work performance, medical information, training certificates, home address, next-of-kin information, information related to security clearances, suspense reports on various events, such as appointment expiration dates, date probation ends, date promotion eligibility, expiration of LWOP, etc.

**Authority for maintenance of the system:** Executive Order 10561; FPM Chapter 291-93; 5 U.S.C. 13-2, 2951, 4118, 4308, 4506, FPM Chapter 713, Subchapter 3; Executive Order 14492; 44 U.S.C. 3101; FPM Chapter 732.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To prepare reports required by the Civil Service Commission, Congress and OMB; used by the Civil Service Commission and investigatory agencies to verify employee statements on applications for employment with other agencies; investigation of discrimination complaints; statistical reporting to the CSC on minority employment, handicap programs, and other special programs; control of personnel ceilings; project and assess personnel movement dynamics; conducting security check and updating security clearances; preparation of employee performance rating and evaluations; evaluation of work performance are reviewed by Officer Evaluation Report Review Panel to correct technical deficiencies in reporting and improving quality of evaluation; used by Selection Boards and Merit Promotion Panels to determine whether employees should be recommended for promotion; used for routine personnel management and administration. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

**Principal users of this information outside the International Communication Agency are:** The Civil Service Commission, the Department of State, the Office of Management and Budget, the General Accounting Office, and personnel offices of other government agencies when an employee seeks transfer or detail; accredited investigators.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Computer disc and magnetic tape; computer printouts, visual card files, paper records in file folders.

**Retrievability:** By employee name, agency element, employee ident. number, grade/class, tenure code, and other data elements.

**Safeguards:** Computer files are stored internally in the computer or in locked tape file cabinets and cannot be physically accessed except by authorized personnel; paper files and card trays locked in metal cabinets; room holding files is secured; access controlled by "sign out" records; computer access to EEO related or minority identification data strictly controlled by written direction of Director, Office of Equal Employment Opportunity.

**Retention and disposal:** Computer printouts destroyed by shredding or burning when new listings are produced; computer tapes retained indefinitely; other records retained until employee is separated, and then disposed of by transfer to the Civil Service Commission, other employing agency, Federal Records Center, or destruction as directed by internal agency regulations.

**System manager(s) and address:** Chief, Transactions and Files Staff (MGT/PDT), Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules to access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Employee; employment applications; official personnel records, personnel action forms; administrative file; budget and personnel authorizations; employees' supervisors; USICA Office of Security; training officers and other officials involved in personnel management.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e), (1), (e)(4) (G), (H), (I), and (f). See 22

CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 CFR 30029).

## USICA-22

**System name:** Non-Official Personnel Files—USICA

**System location:** International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

International Communication Agency, 1717 "H" Street, N.W., Washington, D.C. 20547.

International Communication Agency, 601 "D" Street, N.W., Washington, D.C. 20547.

International Communication Agency, 1425 "K" Street, N.W., Washington, D.C. 20547.

See Appendix I for details of offices located in Washington, D.C. See Appendix II for the locations of Agency offices located outside of Washington, D.C.

**Categories of individuals covered by the system:** Current employees and employees of other agencies detailed to USICA, and who are assigned to any of the following Agency elements:

Office of the Director

Associate Directorate for Programs

Office of Research and Evaluation

Television and Film Service

Press and Publications Service

Exhibits Service

Associate Directorate for Management

Office of Equal Employment Opportunity

Office of Security

Office of Personnel Services

Office of Administrative Services

Associate Directorate for Educational and Cultural Affairs

Office of Cultural Centers and Resources

Office of Congressional and Public Liaison

Office of General Counsel

Office of the Director of African Affairs

Office of the Director of American Republics Affairs

Office of the Director of East Asian and Pacific Affairs

Office of the Director of European Affairs

Office of the Director of North African, Near Eastern and South Asian Affairs

(Note: For non-Official Personnel Records maintained by the Associate Directorate for Broadcast see USICA-8 Employee Administrative Files—VOA.)

**Categories of records in the system:** Job descriptions; personnel action forms; payroll change slips; service record cards; employee locator cards; letters of commendation and other correspondence; material related to employment, experience, training, special qualifications and skills; salary and leave records. (Note: The record material listed above may not be contained in the files of all Agency elements listed under "Categories of Individuals Covered by the System".)

**Authority for maintenance of the system:** FPM-293-31, Subch. S-8; USICA's Manual of Operations and Administration. Part III-520.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To prepare requests for personnel action; to provide convenient access to information about employees, in view of the office's physical separation from the Office of Personnel Services, which maintains Official Personnel Files.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the Performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Indexed by individual name.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** When employee separates from the Agency, file is forwarded to the Office of Personnel Services for screening and disposal.



**System manager(s) and address:** Chief, Secretariat Staff, Office of the Director, 1750 Pennsylvania Ave., N.W., Washington D.C. 20547.

Records Control Officer, Associate Directorate for Programs, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Executive Officer, Office of Research and Evaluation, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Access to Information Officer, Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Paralegal Specialist, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Chief, Personnel Security Division, Office of Security, 1425 K Street, N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Director (African Affairs), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Director (East Asia and Pacific Affairs), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Director (European Affairs), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Director (American Republics Affairs), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Resource Coordinator, Office of the Assistant Director (North African, Near Eastern and South Asian Affairs), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Associate Directorate Management, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Personnel Services, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of the Director, Cultural Centers and Resources, 1717 "H" Street, N.W., Washington, D.C. 20547.

Executive Officer, Television and Film Service, Patrick Henry Building, 601 "D" Street, N.W., Washington, D.C. 20547.

Executive Officer, Press and Publications Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individual should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individual concerned; copies of actions originated by the USICA Office of Personnel Services; USICA Payroll Office; supervisors of employees on whom records are maintained.

#### USICA—23

**System name:** Overseas Personnel Files and Records—USICA

**System location:** International Communication Agency maintains establishments overseas in 120 foreign countries which are designated as mission posts, branch posts, regional service centers, VOA relay stations, and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any one of our overseas locations may contact the Agency's Congressional and Public Liaison, Room 1019, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Rules for Implementing the Freedom of Information Act.

**Categories of individuals covered by the system:** Foreign Service employees of the International Communication Agency who are serving or have served at any of the Agency's overseas establishments.

**Categories of records in the system:** Personnel evaluation reports, travel orders, personnel action forms, payroll change forms, travel vouchers, residence and dependency reports, correspondence related to transfer of duty station or training assignments.

**Authority for maintenance of the system:** The Foreign Service Act of 1946.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained for convenience due to separation from main office; for use by senior USICA officers at overseas establishments in evaluating the performance of subordinate officers; for planning future staffing requirements; dates of reassignment of officers; entitlement to foreign service allowances; home address and next of kin in the United States in case of emergency; settlement of personal business after departure of employee from the overseas establishment. Also see Prefatory Statement of General Routing Uses.

Information in these files is available only to American foreign service employees on a need-to-know basis as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Destroyed after three years after employee's departure from the post. (Reference USICA's Manual of Operations and Administration, Part III, Exhibit 630A-3, Page 3).

**System manager(s) and address:** See "System Location" above.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** All documents contained in these records are duplicates of material originated by other elements of the International Communication Agency or, in some instances, by the Department of State.

#### USICA—24

**System name:** Personnel Security and Integrity Records—MGT/S

**System location:** Office of Security, Room 662, International Communication Agency 1425 K St., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All persons currently or formerly employed or used under contract in the U.S.; all Americans currently or formerly employed or used under contract in other countries; some but not all foreign nationals currently or formerly employed or used under contract in other countries; former applicants who were not employed; persons whose services are or were otherwise utilized by a component of USCIA, whether compensated or not; prospective spouses of USICA employees; and other persons who are significantly identified with persons whose services have at one time or another been utilized or considered by the Agency in one or more of the manners indicated herein. Names are also cross-indexed on persons not so identified but who are or were significantly involved in non-security related administrative inquiries conducted by the Security Office of USICA, such as malfeasance, nonfeasance, misfeasance, conflicts of interest, tort matters, equal employment opportunity inquiries and other administrative investigations conducted at the request of other elements of the Agency, and on persons of intelligence and counterintelligence interest whose names appeared in the press, or are contained in documents furnished by the FBI, CIA and other intelligence and counterintelligence agencies of the U.S. Government.

**Categories of records in the system:** Reports of Investigation conducted by the Security Office of USICA and by other government agencies, inter-office correspondence, relevant correspondence and memoranda originated by other elements of USICA, other federal agencies, other governmental entities (i.e., state and local authorities), corporate and private entities and by individuals. Additionally, records are maintained of security violations and consequent recommendations for disciplinary action. The system contains reports of briefings and debriefings of employees and other performing services for USICA at overseas posts and evaluative summaries of individuals files. Not all files, however, contain all of the above elements.



**Authority for maintenance of the system:** The authority of the Office of Security to collect and maintain security data is based on Section 1001 of the United States Information and Education Exchange Act of 1948, 62 Stat. 13, 22 U.S.C. Section 1434, as amended, 66 Stat. 43, (1952), Reorganization Plan No. 8 of 1953, 67 Stat. 642, Executive Order 10477 of August 1, 1953 as amended, the Act of August 26, 1950 64 Stat. 476, 5 U.S.C.A. 3571, 7312, 7501, 7512 and 7532, Executive Order No. 10450 of April 27, 1953 as amended, and Executive Order 11652 of March 8, 1972.

The authority of the Office of Security to collect and maintain certain administrative data, as the investigative arm of the Agency, is based on 22 USC 1434; Foreign Service Act of 1946, Sec. 611; Reorganization Plan No. 8; Executive Order 10477; 5 USC Chap. 33.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Making security decisions on applicants for employment. In certain cases data in security files is used by the Personnel Office and the Foreign Service Board of Examiners to determine the qualifications and suitability of an applicant.

Making security decisions on Agency employees to determine whether previously granted security clearances may remain in effect.

Making advisory opinions on individuals used by the Agency in a limited or unlimited contractual manner or otherwise and granting exceptions to the Agency's regulations governing such usage under a delegation of authority from the Director.

Giving security certifications in writing or orally to other Security Offices of the Federal Government.

Making security decisions as to the advisability of assigning employees to certain areas of the world or to certain positions within the Agency.

Making security decisions as to the advisability of certain promotions as required by Agency regulations.

Making security decisions as to granting an employee a cryptographic clearance under regulations for such clearance enforced by the Department of State.

Making an advisory opinion as to the effect on an employee's security clearance of a marriage to a non-U.S. citizen.

Reviewing the files in certain cases of non-citizen employees of USICA abroad to determine whether they may be granted a security certification.

Reviewing the files of former Agency employees and applicants never employed to determine what investigative material must be returned to the Civil Service Commission as required by that Commission.

Forwarding the investigative material to certain designated employees of the Personnel Office and of other offices of USICA.

Advising duly authorized security officers of other agencies of significant security data in the file of an Agency employee or applicant.

Advising the Civil Service Commission that significant security or suitability data was developed during a pre-employment investigation of an applicant, or during an investigation of an Agency employee who left the Agency's employment prior to a final adjudication of the case.

To determine whether the Office of Security has previous record of individuals or organizations of interest to the Agency as potential employees, contractors or in some non-compensated activity, or previous record of individuals or organizations becoming of interest as the result of significant identification with person or organizations of current interest to the Agency.

To determine what investigation might be required in the processing of individuals or organizations of interest to the Agency as potential employees or contractors, or in non-compensated use.

To determine specific areas of inquiry by agents of the Office of Security or agents of other federal agencies acting in our behalf, engaged in the various types of security/suitability investigations conducted by the office, i.e., applicant interviews, applicant update investigations, employee investigations, administrative inquiries, debriefings and employee interviews.

To determine whether periodic updating of employee security clearances are required and further determine the appropriate scope of update investigations.

To assist in determining the extent to which allegations against employees or applicants should be investigated.

Review of MGT/SI investigative material by authorized representatives of other U.S. government agencies having security or suitability interests.

Furnish to the Department of Justice information indicating possible violation of criminal laws.

Review for research projects originating from within and outside MGT/SI i.e., surveys of exhibit guide debriefings, and statistical surveys regarding the conduct of various types of investigations and the results thereof.

To determine whether debriefings are indicated.

To furnish biographical data to other elements of the agency.

To furnish data, to the extent necessary to identify the individual adequately, to any other record custodian in order to obtain information relevant to a legitimate investigative or intelligence interest of the International Communication Agency.

To provide guidance for employees having had and anticipating contacts with certain foreign nationals.

To assess recommendations for disciplinary action based on violations of security regulations.

Also see Prefatory Statement of General Routine Uses.

Individual files are used by the Director, Office of Security, as reference in contacts and correspondence with USICA Director, Deputy Director, General Counsel, Associate Directors and other USICA personnel when necessary to resolve specific personnel security matters. In addition, files are also used by him in correspondence and contacts with other government agency officials when necessary to inform them of information available in USICA Office of Security files.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Various written-entry document forms.

**Retrievability:** Indexed by serial file number through card index by name.

**Safeguards:** Persons having access are security-cleared and must establish a "need-to-know" the information under routine use policies and practices established by Statute, Executive Order, and Agency Regulation. When not in personal custody, files are stored in combination-locked containers or intrusion alarmed area.

**Retention and disposal:** Records are retained indefinitely, with CSC investigate reports returned to that agency and the balance of records sent to archival storage when no longer active.

**System manager(s) and address:** Director, Office of Security, International Communication Agency, 1425 K Street, N.W., Washington D.C. 20547.

**Notification procedure:** Director, Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director, Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Biographic and personal history information furnished voluntarily by applicants and employees.

Reports of Investigation conducted by the Civil Service Commission, the Federal Bureau of Investigation, the Department of State and other government investigative agencies.

Reports of Investigation conducted by the Office of Security, USICA.

Investigative sources include information furnished by the subject of the investigation during personal interviews, record checks at other government agencies, records of professional organizations, real estate and rental agencies, baptismal records, police and credit records, interviews of former and present employers, supervisors, references, teachers, neighbors and other acquaintances. Educational and medical records are also checked when appropriate.

Intelligence reports relating to USICA interests which are furnished by other Federal agencies.

Various public records and indices such as those produced by committees of Congress.

Information furnished by employees of USICA, employees of other Government agencies, nongovernmental entities or members of the public at large who occasionally furnish information to USICA in the interests of national security or the integrity of the Federal service.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR, Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).



## USICA—25

**System name:** Press Service Contributors—PGM/P

**System location:** International Communication Agency, Press and Publication Service, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Free-lance writers, photographers and artists who are available to USICA on an intermittent, fixed-fee basis to perform services for the Agency outside of Washington, D.C.; authors of newspaper and magazine articles.

**Categories of records in the system:** Copies of purchase orders issued to contributors; biographic data on contributors, including addresses, phone numbers, type of security clearances, specialties, foreign languages; data on number of times contributors have been used and fees paid for services; cross-indexed records, by author, of newspaper and magazine articles for which reprint/translation rights have been obtained covering republication by USICA and/or the local press outside the United States.

**Authority for maintenance of the system:** IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and Federal Property and Administrative Services Act of 1949 (P.L. 152, 81st Congress) as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference material used to select writers, artists and/or photographers, as required, to provide coverage of newsworthy events, such as, interviews with foreign visitors and students, and coverage of conferences outside of Washington, D.C.; also used to determine the type of security clearance held by contributor before granting an assignment; used to check on completion of assignment before payment for services is approved; for office reference in identifying articles, locating authors, checking the extent of right previously obtained and for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Purchase order paper records in file folders. Biographic data is kept on 3x5 cards.

**Retrievability:** By name and geographic location of the contributor; author files maintained alphabetically by name.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Purchase orders retained for 2 years and then destroyed. Biographic data retained until contributor is no longer available, has died or moved; author index retained indefinitely.

**System manager(s) and address:** Executive Office, Press and Publications Service, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Request from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Referrals by city editors of local newspapers; other free-lance contributors; biographic data provided by individual concerned; data on authors obtained from the newspaper or magazine article in which the original article appeared, from the author directly or from standard references such as "Who's Who" and "Editor and Publisher."

## USICA—26

**System name:** Press Service Photographer File—PGM/P

**System location:** International Communication Agency, Press and Publications Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Free-lance photographers and picture agents; prominent Americans.

**Categories of records in the system:** Personal data on free-lance photographers such as name, address, telephone number, price charged for services, specialties, availability of rights, previous USICA assignments, evaluations of photographer's work; photographs of prominent Americans.

**Authority for maintenance of the system:** IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and the Federal Property and Administrative Services Act of 1949 (P.L. 152, 81st Congress), as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To acquire existing pictures; to select photographers for specific assignments; for general photo research; for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card file and paper records in file folders; mounted and unmounted prints; 3 x 5 index cards and 35 mm and 4 x 5 transparencies.

**Retrievability:** By name of the individual concerned.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Paper records on photographers are maintained indefinitely or until individual is no longer available for assignment; picture files retained indefinitely or until no longer useful; outdated pictures retired to Federal Records Center.

**System manager(s) and address:** Executive Office, Press and Publication Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individuals concerned; from publications, photo agencies, and photographer association; photos taken by USICA photographers or obtained from various news services.

## USICA—27

**System name:** Printout of Minority Group Designator (MGD) Data System—MGT/E.

**System location:** International Communication Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All current employees of USICA.

**Categories of records in the system:** Computer printout containing names of all USICA employees identified by name, sex, race, national origin, age, grade, and wage scale.

**Authority for maintenance of the system:** Draft FPM 713, and Public Law 93-571, 5 U.S.C. 552 as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To compile statistical records of minority and female employment and promotion within the Agency; for inclusion in Agency's Equal Employment Opportunity Affirmative Action Plan; for determinations in complaints of discrimination.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency,



but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the Civil Service Commission.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders (computer reports).

**Retrievability:** By name, sex, race, national origin, age, grade, and wage scale.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records maintained indefinitely.

**System manager(s) and address:** Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the employee concerned; USICA personnel data; visual inspection of the employee.

#### USICA—28

**System name:** Recruitment, Contractor and Vendor File—PGM/R

**System location:** International Communication Agency, Office of Research and Evaluation, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Job applicants; prospective contractors or vendors (or principals of firms); and any other individuals from whom services (whether compensated or not) may be formally solicited by the Office of Research and Evaluation.

**Categories of records in the system:** Resumes, employment inquiries and related correspondence; records on the security clearance status of prospective contractors or vendors.

**Authority for maintenance of the system:** USICA Manual of Operations and Administration, Part VIII; Federal Records Act, 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To review qualifications of candidates for employment; to comply with security regulations in procurement actions or when soliciting services from outsiders. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

This information is not normally available to individuals or agencies outside the International Communication Agency, but it may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders.

**Retrievability:** Indexed alphabetically by the name of the individual.

**Safeguards:** Files are kept in bar-lock file cabinets.

**Retention and disposal:** Security clearance status records on contractors and vendors maintained indefinitely; employment applications and inquiries are retained for two years or as long as there is an interest or prospect of employment of the individual, at which time, records are disposed of in accordance with internal disposal requirements.

**System manager(s) and address:** Executive Officer, Office of Research and Evaluation, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individuals concerned and from USICA's Office of Security.

#### USICA—29

**System name:** Recruitment Records—GC

**System location:** International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Applicants for legal and summer intern positions.

**Categories of records in the system:** Inquiries from attorneys and law students seeking employment with the Office of the General Counsel, resumes and responses to inquiries.

**Authority for maintenance of the system:** Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For reference and screening of candidates for vacancies on the Agency's legal staff. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the International Communication Agency, but records may be released to other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Filed alphabetically by name.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records are kept one year and then destroyed by shredding.

**System manager(s) and address:** Paralegal Specialist, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Unsolicited inquiries and job applications received from individuals who are seeking employment with USICA's legal staff.

#### USICA—30

**System name:** Recruitment Records—MGT/P—USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547, and 300 "C" Street, S.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Applicants for foreign service or domestic employment; applicants for personnel or management intern positions; employees hired under the worker-trainee program; individuals certified by the Civil Service Commission for appointment consideration.

**Categories of records in the system:** Employment application forms; resumes and replies to employment inquiries; personnel security data forms; results of written examinations; notes on interviews by selection panels; records on availability of job applicants; CSC employment certificates.

**Authority for maintenance of the system:** 44 USC 3101; FPM 333 Subch. 1-1; FPM Chap. 713, FPM Bulletin 713-31, FPM 332, Appendix B, FPM Chap. 731, FPM Chap. 732.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used for recruitment and evaluating employment applicants; to determine Agency employment needs; evaluation of minority hiring practices; selection of candidates for intern and other programs; evaluation of progress of employees on worker-trainee programs; monitor status of pre-employment secu-



ity investigation. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are: the Civil Service Commission; the Director General of the Foreign Service; U.S. Department of State; accredited investigators; Board of Examiners for the Foreign Service.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records of successful employment candidates transferred to official personnel folder; records of unsuccessful candidates destroyed after 2 years; CSC certificates retained indefinitely; security files destroyed after candidate is given security clearance; other records retained indefinitely or disposed of in accordance with Agency's internal regulations.

**System manager(s) and address:** Chief, Employment Branch (MGT/PDE), Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Employment applicants; college transcripts and other recruitment sources; test scores provided by testing Agency; notes prepared by selection panels; the Civil Service Commission; U.S. ICA Office of Security.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552 (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

#### USICA—31

**System name:** Senior Officer and Prominent Employee Information CPL/USICA

**System location:** International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Leaders of the International Communication Agency and other prominent employees.

**Categories of records in the system:** Photographs, biographic data sheets and past press releases.

**Authority for maintenance of the system:** The Federal Records Act, 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For responding to press inquiries and in the preparation of Agency press releases concerning leaders of the International Communication Agency and Prominent employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

While this information is generally available to the public upon request, it may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records and photographs in file folders.

**Retrievability:** By name of the individual employee.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records are disposed of upon separation of the employee.

**System manager(s) and address:** Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** The Department of State's Biographic Register; from the individual concerned; copies of press releases concerning the individual.

#### USICA—32

**System name:** Senior Officer Files—MGT/P

**System location:** International Communication Agency, Office of Personnel and Services, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Employees in grades GS-14, 15, 16, 17, 18 and foreign service officer class equivalents (FSIO, FSR, FSLR—1, 2, 3.2)

**Categories of records in the system:** Biographical, professional and experience information on employees nominated for senior level positions, position descriptions and position evaluations.

**Authority for maintenance of the system:** FPM 305, Supp. 305—1, FPM—300 subch. 3.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference material for the Director's staff, element heads and personnel officers; placement of high level employees in proper management positions and to insure their consideration for vacancies government-wide; used by personnel officers for personnel management functions; requested from time to time by CSC, OMB, and Congress for position control of super-grade employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are: the Civil Service Commission; the Office of Management and Budget; the Congress; personnel officers in other government agencies as a result of a transfer or potential transfer of the individual to whom the records pertain.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name and grade of individual, or combinations of name and grade.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records maintained indefinitely, or until employee is separated, at which time pertinent information is filed in the official personnel folder; all other material is destroyed as provided in Agency internal regulations.

**System manager(s) and address:** Chief, Operations Branch 1776 Pennsylvania Ave., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Official Personnel Folders; from the employee; element heads; position classifiers.



## USICA—33

## System name: Speaker File—AF

**System location:** Office of the Director, African Affairs, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Artists and Speakers considered qualified to conduct programs at USCA's overseas posts in sub-Sahara Africa.

**Categories of records in the system:** Biographic data on speakers and artists; evaluation of reports of past service; itineraries.

**Authority for maintenance of the system:** The Federal Records Act, 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To provide basic personnel and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. Information in these records is not normally made available to individuals or agencies outside USCA, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By the name of the individual concerned.

**Safeguards:** Maintained in locked file cabinets.

**Retention and disposal:** Records are held as long as the individual is a prospective speaker or artist.

**System manager(s) and address:** Regional Cultural Affairs Officer, Office of the Director, African Affairs, International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Originated through correspondence with speakers and correspondence with individual USICA posts overseas.

## USICA—34

## System name: Speaker File—EA

**System location:** International Communication Agency, Office of the Director, East Asian and Pacific Affairs 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Prospective individual and actual speakers at USICA overseas posts in the East Asia and Pacific geographic area. Speakers may include volunteers, U.S. Government officials, and others.

**Categories of records in the system:** Biographic data on prospective speakers, including lists of topics, dates of previous service to USICA, travel vouchers processed, amounts charged Agency and method of payment, and in some cases, evaluations of speakers by overseas posts.

**Authority for maintenance of the system:** Federal Records Act, 44 USC 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Biographic data and evaluations of speakers and their suitability to engage in Agency programs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Indexed by name of the individual.

**Safeguards:** Maintained in locked file cabinets, available only to authorized persons.

**Retention and disposal:** Retained as long as the speaker has topicality for area programs. Records are destroyed thereafter in accordance with Agency's internal records retirement procedures.

**System manager(s) and address:** Program Coordinator, Office of the Director, East Asian and Pacific Affairs, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Originated through correspondence with speakers and correspondence with individual USICA posts overseas.

## USICA—35

## System name: Speaker Name Files—PGM

**System location:** International Communication Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** American specialists and experts in a variety of fields who have participated or been considered for participation in the Volunteer Speakers Program.

**Categories of records in the system:** A typical file contains the following information on or about speakers and prospective speakers in the Volunteer Speakers Program administered by the International Communication Agency: Biographic data including education and professional experience, correspondence between the speaker and PGM and communications between the Agency and its overseas posts regarding the speaker's participation in the program. Many of these files also include the results of requests for security information from the Office of Security, USICA.

**Authority for maintenance of the system:** Executive Order No. 11034 and Executive Order 11034 as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Speakers files are used routinely by program development officers, program assistants and clerical personnel in the daily conduct of the speaker program. They are occasionally consulted by other Agency personnel for such purposes as preparing advance publicity on speakers who will lecture abroad under USICA auspices. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The files are stored in individual folders by name and consist of the types of information specified under "Category of Record."

**Retrievability:** File folders are indexed alphabetically by name and filed under five major subjects: Arts and Humanities, Economics, International Political and Security Affairs, Political and Social Processes, and Science and Technology.

**Safeguards:** The files are kept in locked file cabinets and, when open during office hours, are always tended by one or more employees. Only appropriate personnel are normally allowed to consult these files routinely. Other Agency personnel wishing to consult them are asked to identify themselves. U.S. government personnel other than USICA very rarely seek access to these files. When they do, they are asked to produce specific identification.

**Retention and disposal:** These records are normally maintained for approximately 3 years. Afterward, they are retired to the USICA archives for a period of from 5-7 years.



**System manager(s) and address:** International Communication Agency Associate Director for Programs, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Without significant exceptions, the information on individuals maintained in these files has come from the individual concerned or, occasionally, from others at the request of that individual.

#### USICA—36

**System name:** Advisory, Referral and Counseling Records—MGT/P-USICA.

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Employees with serious personal, job-related or medical problems such as alcoholism, drug abuse or behavioral problems.

**Categories of records in the system:** Confidential statements relating to specific problems.

**Authority for maintenance of the system:** Public Law 91-616, Sec. 201 (Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970); Public Law 92-255, Sec. 413 (Drug Abuse Treatment Act of 1972).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used on occasion to provide necessary background to medical personnel to arrange for medical examinations, treatment of employees, or for counseling purposes within. The program is a confidential resource within the Agency available voluntarily to employees for assistance with personal or job-related problems. Employees are advised of rights, obligations as well as benefits available; referrals of employees to professional resources within the government and in the community; continuing on-the-job counseling available. Also see Prefatory Statement of General Routine Uses. Without the express written consent of the employee, this information is not available to other personnel of the International Communication Agency. The only users of this information outside the International Communication Agency are appropriate medical personnel of the Department of State, Office of Medical Services, and appropriate health professionals in the community, only with the employee's consent.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By the employee's name.

**Safeguards:** Records are maintained in a combination barlock cabinet at all times, accessible only to the Advisory, Referral and Counseling personnel.

**Retention and disposal:** Records retained as long as individual is an employee of the Agency; file destroyed by shredding when employee is separated, or when ARCS personnel considers there is no need to retain file, or when incumbent counselor is separated from the Agency; exceptions to rules for retention can be made only with the concerned employee's specific approval.

**System manager(s) and address:** Chief, Policies and Services Staff (MGT/PPS), Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Principally from the individual concerned; background information provided by the person who initiates referral of the employee, such as supervisors or medical personnel.

#### USICA—37

**System name:** Book Adaptation Files—ECA/FB

**System location:** International Communication Agency, Associate Directorate For Educational and Cultural Affairs, Washington, D.C. 20547.

**Categories of individuals covered by the system:** Authors of books selected for inclusion in the Current Thought Series and the Ladder Series; contractual adapters of books.

**Categories of records in the system:** Correspondence with authors; rights agreements for use of books; USICA book appraisals and reviews; biographic data on authors; correspondence with and biographic data and namecheck forms on adapters; correspondence with contracting agency concerning contractual arrangements with adapters, qualifying tests and sample material submitted by adapters.

**Authority for maintenance of the system:** Executive Order 11034, as amended, Public Law 87-256, Mutual Educational and Cultural Exchange Act of 1961.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Reference material for determination of suitability of books for use in the Agency's Current Thought Series and Ladder Series; to arrange for clearances to use books in Agency programs; for the selection of adapters who can adapt books for use by foreign nationals; final clearance of adaptation by authors of books.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card records and paper records in file folders.

**Retrievability:** By individual name, by date of assignment, or both.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed.

**System manager(s) and address:** Chief, Foreign Service Personnel Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director, USICA, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director, Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Officer Evaluation Reports; official administrative file (OPP); records of interviews and correspondence with officers; minutes of meetings held to discuss assignment of Foreign Service Officers by the career management staff.

#### USICA—38

**System name:** Career Counseling Records—MGT/P-USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All foreign service officers of the Agency.

**Categories of records in the system:** Computer listing of work experience; biographic data; assignment history date; education data; position data; grade; title; post of assignment; date of employment; dependents; proposed position detail to "pipeline" complement; roster of personnel available for domestic assignments; notes of personnel discussions between counselors and individual clients on preferences and other factors bearing on assignments.

**Authority for maintenance of the system:** The Foreign Service Act of 1946, as amended; 44 U.S.C. 3101.



**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by career counselors and personnel officers for assignment, detail or rotation of Agency foreign service officers, within USICA or to other federal agencies. Also see Prefatory Statement of General Routine Uses. Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Card records and paper records in file folders.

**Retrievability:** By individual name, by date or place of assignment, or both.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed or when employee separates.

**System manager(s) and address:** Chief, Career Counselors Staff, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Officer Evaluation Reports. Official administrative file (OPF); records of interviews and correspondence with officers; minutes of meeting of the career management staff held to discuss assignment of Foreign Service officers.

#### USICA-39

**System name:** Employee Parking—USICA

**System location:** International Communication Agency, Office of Administrative Services, General Services Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Voice of America, 330 Independence Ave., S.W., Washington, D.C. 20547.**

**Categories of individuals covered by the system:** Agency employees assigned USICA controlled parking spaces; employees awaiting assignment of vacated parking spaces.

**Categories of records in the system:** Names, office locations and telephone numbers of employees assigned parking space; participants in car-pools; records of payments for parking space use; records on employees with physical handicaps and doctors or others to contact in case of emergency; waiting list of employees desiring assignment of official parking space.

**Authority for maintenance of the system:** General Services Administration Regulations dated February 6, 1974, prescribing regulations regarding the use of federally controlled parking spaces.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Assignment of parking space to Agency executives; to assure fairness in the assignment of parking space to employees and to give priority to the handicapped and to car-pools; to assure timely payment of fees for parking space.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the General Services Administration.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders.

**Retrievability:** By name of the employee.

**Safeguards:** Maintained in bar-lock cabinets.

**Retention and disposal:** Records destroyed when employee relinquishes assigned parking space or is separated from the Agency.

**System manager(s) and address:** Director of Administration, Voice of America, Room 3360, HEW-N Bldg., 330 Independence Ave., N.W., Washington, D.C. 20547.

**Chief, General Services Branch, 1776 Pennsylvania Ave., S.W., Washington, D.C. 20547.**

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** All information obtained from individuals concerned.

#### USICA-40

**System name:** Employment Requests—MGT/P—USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Certain individuals seeking employment with the Agency such as Congressional referrals, referrals of Director, etc.

**Categories of records in the system:** Letters, memos, resumes, recommendations, biographic data and referrals submitted to the Director, Office of Personnel Services, for the purpose of soliciting employment with the Agency.

**Authority for maintenance of the system:** The Federal Records Act, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To answer inquiries from Members of Congress regarding employment opportunities for constituents; referrals to Agency elements for qualification evaluations. Also see Prefatory statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Records retained until no longer useful, or until after 2 years from date of submission, whichever is first. Records are destroyed by shredding.

**System manager(s) and address:** Director, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Unsolicited information or referrals submitted to the Agency by individuals seeking information on employment possibilities.

#### USICA-41

**System name:** Exhibit Guide Training File—PGM/E

**System location:** International Communication Agency Service, 1425 "K" Street, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Translators and various instructors hired periodically by the Exhibits Service to train Exhibit Guides before assignment overseas.



**Categories of records in the system:** Biographic data, security name-check forms, history of assignments with the Agency, and routine correspondence.

**Authority for maintenance of the system:** Executive Order 11034, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** A ready reference file for locating specialists and translators, evaluating their qualifications and determining their availability to train individuals hired by the Agency for overseas assignments as Exhibit Guides.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Records maintained in bar-lock cabinets, available only to authorized personnel.

**Retention and disposal:** Records kept as long as person is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

**System manager(s) and address:** Records Control Officer, Creative Services Branch, Exhibits Service, International Communication Agency, 1425 "K" Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information including in these records is submitted or authorized by the individual concerned and is available for his/her review.

#### USICA-42

**System name:** Exhibit Specialist Grantees—PGM/E.

**System location:** International Communication Agency, Exhibit Service, 1425 "K" Street, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Private individuals under grant or contractual agreement with the Agency, or Government employees on temporary duty assignments with USICA, to provide services to Agency exhibits as expert specialists, usually involving overseas travel.

**Categories of records in the system:** Name, address, itinerary of travel, description of services, records of security clearance and of grants or orders, resume of career and list of publications, correspondence, informal evaluations of performance as an exhibit specialists, photographs, publications by the concerned individuals.

**Authority for maintenance of the system:** Executive Order 11034, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used for the purpose of selecting specialists in various fields to assist in the design of exhibits for use overseas; as consultants during fabrication of exhibits; to assist USICA personnel overseas to construct exhibits.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis, to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By show name, the word "specialist," followed by individual's name.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Records kept as long as individual is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

**System manager(s) and address:** Records Control Officer, Creative Services Branch, Exhibits Service, International Communication Agency, 1425 "K" Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information included in records was either submitted or authorized by the individual concerned, or was available from public sources, such as book reviews or material printed in various publications; National Agency namecheck information is obtained through the Agency's Office of Security.

#### USICA-43

**System name:** Foreign Service Location File—MGT/P—USICA

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** All Agency foreign service employees and foreign service retirees.

**Categories of records in the system:** Foreign service employees' place of assignment overseas, position held, home address, address of next-of-kin, employee's personal bank (if requested the Agency deposit payroll checks); last home address of retirees.

**Authority for maintenance of the system:** The Federal Records Act, 44 U.S.C. 3101; Foreign Service Act of 1946, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by USICA officials to locate a Foreign Service employee; make salary deposits; informing next-of-kin in emergency situations.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Information maintained on 5x8 index cards in metal cabinets.

**Retrievability:** By the officer's name.

**Safeguards:** Records are under surveillance by authorized employees during working hours; in locked metal cabinets after hours.

**Retention and disposal:** Locator information destroyed when employee separates, except by retirement, in which case card maintained indefinitely.

**System manager(s) and address:** Chief, Administrative Staff (MGT/PA), Office of Personnel Services, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the officer concerned; copies of Personnel Action Forms (SF-50); travel memos.



## USICA-44

**System name:** Office of Cultural Centers and Resources ECA/F  
**System location:** International Communication Agency, Associate Directorate for Educational and Cultural Affairs, 1717 "H" Street, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Private individuals who are under grant or contractual agreement with the Agency's Office of Cultural Centers and Resources to provide goods or services required in conducting cultural programs.

**Categories of records in the system:** Name, address, itinerary of travel, goods and/or services to be provided to the Office of Cultural Centers and Resources under grant, contract or purchase order grant; records of payments for services rendered or goods delivered.

**Authority for maintenance of the system:** Executive Order 110477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Files are used by the Budget Office and the Executive Office staffs of the Agency's Office of Cultural Centers and Resources as reference material to assure proper expenditure of agency funds, to monitor the completion of grant or contractual arrangements, and to assure proper payment for goods delivered or services rendered.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders.

**Retrievability:** By document number cross-referenced by a name card file.

**Safeguards:** Maintained in bar-lock file cabinets.

**Retention and disposal:** Records of transactions over 10,000 dollars retained for six years, then sent to the Federal Records Center. For transactions under 10,000 dollars, records retained for three years, then sent to Federal Records Center.

**System manager(s) and address:** Records Control Officer, ECA/F, Associate Directorate for Educational and Cultural Affairs, 1717 "H" Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individual concerned; copies of contracts and grants; travel authorizations provided by Agency Transportation Branch; copies of invoices for payment.

## USICA-45

**System name:** Mailing Lists—MGT/AGR

**System location:** International Communication Agency, Office of Administrative Services Reproduction and Graphics Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** USICA domestic and Foreign Service officers; radio station managers, and technicians; foreign correspondents; American and foreign diplomats; librarians; scholars; Members of Congress; information counselors of other Federal agencies and the military; officers of international organizations; American journalists; newspaper and magazine editors and publishers; public relations officers; musicians; historians.

**Categories of records in the system:** Records contain name, address, occupation, title and profession of individuals who need to have access to, or have requested information concerning: Agency publications, news pictures, reports on current issues and other reports; messages for overseas distribution; press releases; USICA Manual of Operations and Administration; adaptations and condensations; current events picture packs; FYI kits; VOA frequency schedule; stand-by officer lists; special packets; Music USA packets; VOA program highlights.

**Authority for maintenance of the system:** Public Law 402.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Mailing lists are used by Agency elements to distribute printed materials to Agency personnel who need access to such information in the performance of their duties, and to members of the public listed under Categories of Individuals covered by the system as shown above who have requested such information, or who have a professional need and interest in acquiring such information.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Addressograph plates filed in special drawers.

**Retrievability:** By code number of the distribution list and the subject matter of the printed material, and then by name arranged alphabetically.

**Safeguards:** Maintained in locked cabinets when not in use.

**Retention and disposal:** Plates are updated frequently, with old plates removed from the system and destroyed.

**System manager(s) and address:** Chief, Reproduction and Graphics Branch, International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the individual concerned and from public documents such as Congressional and professional directories and journals.

## USICA-46

**System name:** Officer Assignment Requests MGT/P

**System location:** International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Agency officers who have written or spoken to the Director, Office of Personnel Services, regarding assignment preferences or problems.

**Categories of records in the system:** Letters, memos, and occasionally biographic data submitted by the individual seeking particular assignments; written answers to specific requests.

**Authority for maintenance of the system:** The Federal Records Act, 44 U.S.C. 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used exclusively by the Director and the Deputy Director, Office of Personnel Services, for discussion of officer assignments and officer career interests.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper Records in file folders.

**Retrievability:** By the name of the individual.



**Safeguards:** Maintained in metal bar-lock file cabinets.

**Retention and disposal:** Usually retained until officer is assigned or for longer period depending upon the assignment actions; destroyed when no longer needed.

**System manager(s) and address:** Assistant Director, Office of Personnel Services, International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** From the officer requesting assignment consultation, replies of the Director, Office of Personnel Services, to such requests.

#### USICA-47

**System name:** Official Travel Records-MGT/ADT

**System location:** International Communication Agency Office of Administrative Services, Travel and Transportation Branch 1776 Pennsylvania Ave., N.W., Washington D.C. 20547

**Categories of individuals covered by the system:** Past and present USICA employees and private citizens who have traveled under Agency auspices.

**Categories of records in the system:** Travel authorizations documents related to shipment and storage of personal effects and automobiles worksheets on itineraries and correspondence related to the above. Records of active passports and passports issued. Records of temporary duty travel. Location and cost of storage of personal effects.

**Authority for maintenance of the system:** Supplemental Appropriations act of 1955, Public Law 663, Section 1311 (83d Congress) (31 U.S.C. 200). Section 3679 of the Revised Statutes, as amended, Anti-deficiency Act (31 U.S.C. 665).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used as reference material by the staff of the Agency's Travel and Transportation Branch, and as authorization for issuance of transportation requests, travel advances, and passports, for payment to carriers for transportation of travelers and their personal effects, for payment to storage and transfer companies for the packing and storage of household effects.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in file folders and in index boxes.

**Retrievability:** Indexed alphabetically by name.

**Safeguards:** Passports and related material such as correspondence and messages are kept in bar-lock cabinets. Other records are kept in unlocked cabinets which are under surveillance of authorized employees during the working day, and by security guards after official working hours.

**Retention and disposal:** Temporary duty travel authorizations are maintained for four years and then sent to a Federal records center. All other records are retained indefinitely, or until after an employee has been separated from the Agency for six months.

**System manager(s) and address:** Chief, Travel and Transportation Branch, International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547

**Record access procedures:** Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., N.W., Washington, DC 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Travel request forms initiated by various Agency elements, information regarding personal and household effects obtained from the traveler and from carriers, passport information received from the Department of State's Passport Office.

#### USICA-48

**System name:** Photographers and Photographs for Exhibits Use—PGM/E

**System location:** International Communication Agency, Exhibits Service, 1425 K Street, N.W., Washington, D.C. 20547

**Categories of individuals covered by the system:** Names and addresses of photographers hired by the Exhibits Service to provide photographs suitable for use in the Agency's overseas Exhibits Program, collection of photographs for possible use in Exhibits programs with the names and addresses of the individuals holding copyrights.

**Categories of records in the system:** Correspondence with individuals concerning employment with the Exhibits Service to perform photographic services, personal data on photographers such as name, address, telephone number, price charged for service, specialties, availability of rights, previous USICA assignments, evaluation of photographer's work, names and addresses of persons owning rights to photographic work considered suitable for overseas exhibits.

**Authority for maintenance of the system:** Executive Order 11034, as amended.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To acquire existing pictures, to select photographers for specific assignments, for general photo research, for use in the Agency's Exhibits Program.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records and photographs maintained in file folders.

**Retrievability:** By name of the individual.

**Safeguards:** Maintained in combination bar-lock cabinets.

**Retention and disposal:** Records kept as long as person's photographs are of interest for use in particular exhibits. Files are destroyed by burning when no longer useful.

**System manager(s) and address:** Records Control Officer, Exhibits Service International Communication Agency, 1425 K Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information included in records is provided or authorized by the individual concerned and is available for his or her review.

#### USICA-49

**System name:** Records on Shipment of Effects, Unaccompanied Baggage and Automobile—MGT/CF

**System location:** International Communication Agency, Office of Comptroller Services, Financial Operations Division, 1717 H St., N.W., Washington, D.C. 20547.



**Categories of individuals covered by the system:** Foreign service employees authorized to ship effects and automobiles overseas at USICA expense.

**Categories of records in the system:** Paper cards listing payments made to packers, carriers, etc., in connection with shipments of effects, baggage and automobiles pursuant to travel authorizations.

**Authority for maintenance of the system:** 31 U.S.C. 66a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To determine if unauthorized charges were incurred due to excess shipments, indirect routing, or other reasons.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in tub file.

**Retrievability:** Filed alphabetically by individual name.

**Safeguards:** Records are under surveillance by authorized employees during the working day, and by security guards after official working hours.

**Retention and disposal:** Records destroyed four years after the fiscal year in which shipment is authorized.

**System manager(s) and address:** Chief, Financial Operations Division, International Communications Agency, 1717 H St., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** USICA offices issuing travel authorizations, travel vouchers submitted by employees; invoices submitted by carriers for payment.

#### USICA—50

**System name:** Salary Computation Records—MGT/CB

**System location:** International Communication Agency, Office of Comptroller Services, Budget Operations Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Persons employed by the Agency during any past fiscal year, and the current fiscal year.

**Categories of records in the system:** Personnel Action Forms, Standard Forms 50.

**Authority for maintenance of the system:** Executive Order 10477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953; Budget-Treasury Regulation No. 1 (revised); The Economy Act (31 U.S.C. 686), Section 601; Section 3679 of the Revised Statutes as amended (31 U.S.C. 665).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** For the use of the Budget Operations Division only, for salary computations for Agency budget purposes.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records maintained in files.

**Retrievability:** By name of individual.

**Safeguards:** Security provided by surveillance of authorized employees during working hours and by security guards after working hours.

**Retention and disposal:** Retained until no longer needed.

**System manager(s) and address:** Chief, Program Support Branch, Budget Operations Division, International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Office Personnel Services.

#### USICA—51

**System name:** Travel Authorization Obligation File—MGT/CF

**System location:** International Communication Agency, Office of Comptroller Services, Financial Operations Division 1717 H St., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Individuals authorized to travel for which costs of travel are chargeable to USICA appropriations.

**Categories of records in the system:** Copies of travel authorizations and copies of paid vouchers and/or abstracts or other documents relating to payments for authorized travel.

**Authority for maintenance of the system:** 31 U.S.C. 66a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** To support recording of obligations of funds for travel; for audit of travel and transportation vouchers prior to certification and payment; control to avoid duplicate payment of claims.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Storage:** Paper files maintained in three-ring binders and in file folders.

**Retrievability:** By name; cross-reference to travel authorization number filed by appropriation/allotment chargeable.

**Safeguards:** Records are under surveillance by authorized employees during the working hours, and by security guards after official working hours.

**Retention and disposal:** Alphabetical copy of travel authorizations destroyed 3 years after close of fiscal year in which issued. Folders destroyed between 4 and 10 years after close of fiscal year, depending upon the type of travel.

**System manager(s) and address:** Chief, Financial Operations Division, International Communication Agency, 1717 H St., N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Standard forms and Agency forms prepared in connection with official travel by personnel.

#### USICA—52

**System name:** Source File—PGM/T

**System location:** Television and Film Service, International Communication Agency, 601 D Street, N.W., Washington, D.C. 20547.



**Categories of individuals covered by the system:** Individuals in the audio-visual field who are in contact with the International Communications Media Staff on attestation, film festivals and other activities.

**Categories of records in the system:** Biographical data, press releases, routine correspondence, and similar material.

**Authority for maintenance of the system:** To provide a source of information file for the Office of Acquisitions on subjects such as attestation and film festivals.

Also Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful legal authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name individual concerned.

**Safeguards:** Maintained in locked file cabinets and available only to authorized personnel.

**Retention and disposal:** Files are reviewed approximately every 5 years and retained, retired or destroyed as appropriate.

**System manager(s) and address:** Chief, Office of Acquisitions Media Staff, International Communication Agency, 601 D Street, N.W., Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** Information is provided by the individual concerned or from published sources.

In addition, the Agency proposes to adopt the following system of records, "USICA-53-Privacy Act/Freedom of Information Act File-CPL-USICA," which has not been announced heretofore because of administrative oversight.

#### USICA-53

**System name:** Privacy Act-Freedom of Information Act file-CPL-USICA

**System location:** Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Individuals who have requested documents, records or other information concerning themselves from the Agency pursuant to the Freedom of Information Act (5 U.S.C. 552), or the Privacy Act of 1974 (5 U.S.C. 552a).

**Categories of records in the system:** Personal information that may be contained in reports, memoranda, letters, or any other official or unofficial documents that are relevant to the request.

**Authority for maintenance of the system:** 5 U.S.C. 552 and 5 U.S.C. 552a.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

For processing of requests received pursuant to the Freedom of Information and Privacy Acts.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** By name of individual requesting the information.

**Safeguards:** Records are under surveillance by authorized employees during working hours, and are stored in combination-lock cabinets when not in use.

**Retention and disposal:** Retired and destroyed in accordance with schedules of the International Communication Agency.

**System manager(s) and address:** Access to Information Officer, Congressional and Public Liaison, International Communication Agency, Washington, D.C. 20547.

**Notification procedure:** Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear at 22 CFR, Chapter V, Part 505 and were published in the Federal Register on October 21, 1975 (40 FR 49278) and on September 22, 1976 (41 FR 11424) (and on April 4, 1978 (43 FR 14298)).

**Record source categories:** Compiled as a result of requests under the Freedom of Information Act and the Privacy Act.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See amendments to 22 CFR, Chapter V, Part 505.15 as published in the proposed rule section of the Federal Register for December 10, 1976.

#### USICA-54

**System name:** Incentive Awards File-MGT/P-USICA

**System location:** International Communications Agency, Office of Personnel Services, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Employees who are nominated for Special, Honor, Unit, Cash or other incentive awards; employees who are to receive Length-of-Service Certificates.

**Categories of records in the system:** Nomination forms or narratives; copies of award certificates with citations; cards containing name, award, and date awarded.

**Authority for maintenance of the system:** 3 FAM 640; 5 CFR 451; FPM Chapter 451; MOA V-A/B 570.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used only by awards staff, selection committee and approving officials to process and record nominations and for presentation of incentive and length of service awards; used to prepare annual statistical reports for the Civil Service Commission. Also see prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Temporary paper records in file folders; 3x5 cards in card files.

**Retrievability:** Manually by name and/or type of award.

**Safeguards:** File folders maintained in locked file cabinets.

**Retention and disposal:** Cards and copy of nomination and if an award includes a certificate maintained indefinitely.

**System manager(s) and address:** Chief, Policies and Services Staff (MGT/PPS), Office of Personnel Services, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Notification procedure:** Office of Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Record access procedures:** Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.



**Record source categories:** Nominations; supervisors; official personnel folders; awards committee and approving officials.

#### USICA-55

**System name:** Educational and Cultural Exchange Program Records: ECA-USICA

**System location:** Associate Directorate for Educational and Cultural Affairs, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Applicants, recipients, and prospective recipients of Educational and Cultural Exchange grants; members of the Board of Foreign Scholarships; American Executive Secretaries of Fulbright Foundations and Commissions; members of the U.S. Advisory Commission on International Educational and Cultural Affairs; members of the Government Advisory Committee on International Book and Library Programs; members of the former National Review Board of the East-West Center; faculty members of U.S. educational institution participating in student counseling workshops conducted in various countries.

**Categories of records in the system:** Biographic information; project descriptions; forms relating to the individual's security clearance; evaluations of the performances of former grantees; evaluations of performing artists who may be potential grantees; copies of press releases; news clippings; information related to the grant; related correspondence; academic transcripts; letters of reference.

**Authority for maintenance of the system:** Mutual Educational and Cultural Exchange Act of 1961; 22 U.S.C. 2451-58; 22 U.S.C. 2054-57; 22 U.S.C. 1431.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The primary function of the Educational and Cultural Exchange Program records is the aiding in the selection of individuals for educational and cultural exchange grants and for the administration of such grants. Information from these records is also used to develop statistics for use in the operation of the exchange program. The principal users of this information outside the International Communication Agency are: Civil Service Commission; Central Intelligence Agency; Immigration and Naturalization Service; Department of Justice; Smithsonian Institution; Congress; the news media; relatives of the grantee trying to reach the individual for bona fide personal reasons; the grantee. In connection with the selection process, information may be released to: binational commissions; the Board of Foreign Scholarships; foreign host institutions; contract agencies. Fulbright-Hays alumni names and addresses may be made available to American institutions, organizations or individuals assisting in the organizing and functioning of an association of alumni of the exchange program. Excerpts from the files may be used by non-governmental panels of experts in rating candidates. This information may also be released to other government agencies having statutory or other lawful authority to maintain such information. Also see Routine Uses paragraphs of Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Hard copy; magnetic computer media.

**Retrievability:** By individual name.

**Safeguards:** Records are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel.

**Retention and disposal:** Retention of these records varies from three years to an indefinite period of time, depending upon the specific kind of record involved. (Records of non-recommended candidates are only maintained for up to twelve months after submission of the application.) They are retired or destroyed in accordance with published schedules of the International Communication Agency.

**System manager(s) and address:** Associate Director, (USICA), Associate Directorate for Educational and Cultural Affairs, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Individuals who have cause to believe that the Educational and Cultural Affairs might have records pertaining to them should write to the Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547. The individual must specify that he/she wishes the records of the Bureau of Educational and Cultural Affairs to be checked. At a minimum, the individual must include: name; date and place of birth; current mailing address and zip code; signature. If the individual is or was a grantee or an applicant for a grant, he/she must specify the type of grant and the dates of the grant which he/she received or for which he/she applied.

**Record access procedures:** Individuals who wish to gain access to or amend records pertaining to themselves should write to Director,

Congressional and Public Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** The individual; public references; other offices within the Department; other government agencies; other public and professional institutions possessing relevant information.

**Systems exempted from certain provisions of the act:** Certain records contained within this system of records are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f).

#### USICA-56

**System name:** Exchange Visitor Waiver Records—GC—USICA

**System location:** USICA, Office of the General Counsel, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Categories of individuals covered by the system:** Applicants for extensions or waivers or foreign residence requirements.

**Categories of records in the system:** Biographic data; information from the Immigration and Naturalization Service regarding hardship or persecution; evaluations of applicants' performances; copies of published materials; newsclippings; academic transcripts; letters of reference; related correspondence.

**Authority for maintenance of the system:** Mutual Educational and Cultural Exchange Act of 1961, as amended, Sec. 109, P.L. 87-256.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The primary use of the Exchange Visitor Waiver Records is in recommending to the Immigration and Naturalization Service if the foreign residency requirements should be waived or visas extended. Information from these records is also used to develop statistics for use in the operation of the cultural and educational exchange program. The principal users of this information outside the International Communication Agency are: Immigration and Naturalization Service; Department of Justice; the Diplomatic Corps of the foreign embassies in Washington; Department of State; Congress; relatives of the applicant trying to reach the individual for bona fide personal reasons; the applicant; foreign host institutions; contract agencies. This information may also be released to other Government agencies having statutory or other lawful authority to maintain such information. Also see Routine Uses paragraphs of Prefatory Statement.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Paper records in file folders.

**Retrievability:** Manually by name of applicant.

**Safeguards:** Records are maintained in secured cabinets.

**Retention and disposal:** Retention of these records varies from three years to an indefinite period of time, depending on the specific kind of record involved. They are destroyed in accordance with Agency's internal regulations.

**System manager(s) and address:** General Counsel, USICA, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Notification procedure:** Individuals who have cause to believe that the Office of General Counsel might have records pertaining to them should write to the Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547. The individual must specify that he/she wishes the Exchange visitor Waiver Records to be checked. At a minimum, the individual must include: name; date and place of birth, current mailing address and zip code; signature.

**Record access procedures:** Individuals who wish to gain access to or amend records pertaining to themselves should write to Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

**Contesting record procedures:** The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

**Record source categories:** The individual applicants; foreign embassies, applicants' sponsors and attorneys; Department of State; Immigration and Naturalization Service; other offices within the Agency.

#### APPENDIX I

##### Prefatory Statement of General Routine Uses

The following routine uses apply to, and are incorporated by reference into, each system of records set forth above.



1. In the event that a system of records maintained by the Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed, as a routine use, to a federal, state, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an Agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 22 CFR 505 if, in the sole judgment of the Agency, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 22 CFR 505.6.

6. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

7. A record from this system of records may be disclosed to an authorized appeal grievance examiner; a formal complaints examiner; an equal employment opportunity investigator; an arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint or appeal filed by an employee. A record from this system of records may be disclosed to the U.S. Civil Service Commission in accordance with the Agency's responsibility for evaluation and oversight of federal personnel management.

8. A record from this system of records may be disclosed to authorized employees of a federal agency for purposes of audit.

9. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

10. A record from this system of records may be disclosed, as a routine use, to the Department of State and its posts abroad for the purpose of transmission of information between organizational units of the Agency, or for purposes related to the responsibilities of the Department of State in conducting foreign policy or protecting United States citizens, such as the assignment of employees to positions abroad, the reporting of accidents abroad, evacuation of employees and dependents, and other purposes for which officers and employees of the Department of State have a need for the records in the performance of their official duties.

11. A record in this system of records may be disclosed, as a routine use, to a foreign government or international agency when necessary to facilitate the conduct of U.S. relations with that government or agency through the issuance of such documents as visas, country clearances, identification cards, drivers' licenses, diplomatic lists, licenses to import or export personal effects, and other official documents and permits routinely required in connection with the official service or travel abroad of the individual and his or her dependents.

12. A record in this system of records may be disclosed, as a routine use to Federal agencies with which the Agency has entered into an agreement to provide services to assist the Agency in carrying out its functions under the Foreign Assistance Act of 1961, as amended. Such disclosures would be for transmitting information between organizational units of the Agency, for providing to the original employing agency information concerning the services of its employee while under the supervision of the Agency, including performance evaluations, reports of conduct, awards and commendations and information normally obtained in the course of personnel administration and employee supervision, or for providing other information directly related to the purpose of the inter-agency agreement as set forth therein, and necessary and relevant to its implementation.

13. A record in this system of records may be disclosed, as a routine use, to the Department of Justice to determine whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

14. A record in this system of records may be disclosed, as a routine use, when the information is subject to exemption under the Freedom of Information Act (5 U.S.C. 552) but the Agency, in its discretion, determines not to assert the exemption.

15. A record from this system of records may be disclosed, as a routine use, only to State and local taxing authorities with which the Secretary of the Treasury has entered into agreements and only to those State and local taxing authorities for which the employee is subject to tax (whether or not tax is withheld).

[FR Doc. 79-1498 Filed 1-19-79; 8:45 am]



**TUESDAY, JANUARY 23, 1979**  
**PART III**



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**DEPARTMENT OF  
DEFENSE**

**Defense Mapping Agency**

■

**PRIVACY ACT OF 1974**

**Systems of Records; Deletions and  
Amendments**

Top Secret  
Proprietary



**DEPARTMENT OF DEFENSE  
Defense Mapping Agency  
PRIVACY ACT OF 1974**

**Notice of Systems of Records: Deletions and  
Amendments**

AGENCY: Defense Mapping Agency (DMA)

ACTION: Notification of deletions and amendments to systems of records due to an internal Agency realignment which combined the DMA Hydrographic Center and the DMA Topographic Center into a single organizational element, the DMA Hydrographic/Topographic Center located at Brookmont, MD. Simultaneously, a new, administratively defined Component separately identified from existing personnel and resources in DMA named the DMA Office of Distribution Services became operational.

SUMMARY: The Defense Mapping Agency proposes to delete 91 and amend 90 systems of records subject to the Privacy Act of 1974. The deleted systems and reasons for their deletions are specifically set forth below under "Deletions". The 90 amended systems being amended are set forth below under "Amendments".

DATES: These systems shall be deleted and amended as proposed without further notice on February 21, 1979, unless comments are received on or before February 21, 1979 which would result in a contrary determination and require republication for further comments.

ADDRESS: Privacy Act Officer, Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Jane Stafford, telephone 202-254-4401.

SUPPLEMENTARY INFORMATION: The Defense Mapping Agency's systems of records notices inventory subject to the Privacy Act of 1974 (5 USC 552a) Pub. L. 579 have been published in the Federal Register as follows:

FR Doc. 77-28255 (42 FR 50670) September 28, 1977

FR Doc. 78-25819 (43 FR 42375) September 20, 1978

FR Doc. 78-34821 (43 FR 58405) December 14, 1978

The proposed amendments are not within the purview of the provisions of the Office of Management and Budget (OMB) Circular A-108, Transmittal Memoranda No. 1 and No. 3 dated September 30, 1975 and May 17, 1976, respectively, which provide supplemental guidance to Federal Agencies regarding the preparation and submission of reports of their intention to establish or alter systems of personal records as required by the Privacy Act. This OMB guidance was set forth in the Federal Register (40 FR 45877) on October 3, 1975.

January 10, 1979.

Maurice W. Roche,  
Director, Correspondence and Directives, Washington  
Headquarters Services, Department of Defense.

**Deletions**

Notice is given that the following Defense Mapping Agency systems of records published in the September 28, 1977 issue of the Federal Register are deleted.

**B0102-01 HQ THASI**

System name: Office General Personnel Files (42 FR 50672) September 28, 1977

Reason: This system has been redesignated as B0102-02 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-03 HQ THASI**

System name: Office Personnel Locator Files (42 FR 50672) September 28, 1977

Reason: This system has been redesignated as B0102-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0102-04 HQ HASI**

System name: Employee Record Card Files (42 FR 50672) September 28, 1977

Reason: This system has been redesignated as B0102-04 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-08 HQ THASI**

System name: Office Personnel Information Files (42 FR 50673) September 28, 1977

Reason: This system has been redesignated as B0102-08 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-09 HQ THASI**

System name: Duty Roster Files (42 FR 50673) September 28, 1977

Reason: This system has been redesignated as B0102-09 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-09-2 HQ THASI**

System name: Duty Roster Files (42 FR 50673) September 28, 1977

Reason: This system has been redesignated as B0102-09-2 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-10 HQ THASI**

System name: Standard of Conduct Files (42 FR 50674) September 28, 1977

Reason: This system has been redesignated as B0102-10 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0102-11 HQ THASI**

System name: Temporary Duty Travel Files (42 FR 50674) September 28, 1977

Reason: This system has been redesignated as B0102-11 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0104-02 HQ THASI**

System name: Records Access Files (42 FR 50675) September 28, 1977

Reason: This system has been redesignated as B0104-02 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0104-12 HQ THASI**

System name: Security Awareness Files (42 FR 50675) September 28, 1977

Reason: This system has been redesignated as B0104-12 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0104-13 HQ THASI**

System name: Personnel Security Clearance Information Files (42 FR 50675) September 28, 1977

Reason: This system has been redesignated as B0104-13 HQ HT ASID appearing with minor revisions in the amendments section of this document.

**B0201-05 HQ**

System name: DMA Central Clearance Group Pre-Employment Files (42 FR 50675) September 28, 1977

Reason: This system is covered by B0302-21-2 HQ HT A, DMA Central Clearance Group Pre-Employment Files, appearing with minor revisions in the amendments section of this document. The system identifier B0201-05 is not a system of records as defined in 5 U.S.C. 552(a)(5), since they are not accessed by name or other personal identifier.

**B0201-07 HQ**

System name: DMA HQ Military Personnel Reference Paper Files (42 FR 50676) September 28, 1977

Reason: This system is covered by B0201-07-1 HQ HT ASDI, Military Personnel Reference Paper Files, appearing with minor revisions in the amendments section of this document.

**B0201-07 HQ T**

System name: Communications Center Release Authorization (42 FR 50676) September 28, 1977

Reason: This system has been redesignated as B0201-07 HQ HT appearing with minor revisions in the amendments section of this document.

**B0201-07 HQ THASI**

System name: Military Personnel Reference Files (42 FR 50677) September 28, 1977



Reason: This system has been redesignated as B0201-07-1 HQ HT ASID appearing with minor revisions in the amendments section of this document.

#### B0210-06 HQ THASI

System name: Inspector General Investigative Files (42 FR 50677) September 28, 1977

Reason: This system has been redesignated as B0210-06 HQ HT ASI appearing with minor revisions in the amendments section of this document.

#### B0210-07 HQ THASI

System name: Inspector General Complaint Files (42 FR 50677) September 28, 1977

Reason: This system has been redesignated as B0210-07 HQ HT ASI appearing with minor revisions in the amendments section of this document.

#### B0228-04 T

System name: AR 228-04 Historic Photographic Files (42 FR 50678) September 28, 1977

Reason: This system has been redesignated as B0228-04 HT appearing with minor revisions in the amendments section of this document.

#### B0228-10 T

System name: AR 22-10 Installation Historical Files (42 FR 50678) September 28, 1977

Reason: This system has been redesignated as B0228-10 HT appearing with minor revisions in the amendments section of this document.

#### B0302-21 THA

System name: Record of Travel Payments (42 FR 50679) September 28, 1977

Reason: This system has been redesignated as B0302-21 HT A appearing with minor revisions in the amendments section of this document.

#### B0302-21-2 THA

System name: DMA Central Clearance Group Pre-Employment Files (42 FR 50679) September 28, 1977

Reason: This system has been redesignated as B0302-21-2 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B0303-02 TA

System name: Compensation Data Request Files (42 FR 50680) September 28, 1977

Reason: This system has been redesignated as B0303-02 HT A appearing with minor revisions in the amendments section of this document.

#### B0303-03 THA

System name: Individual Retirement Record Control Files (42 FR 50680) September 28, 1977

Reason: This system has been redesignated as B0303-03 HT A appearing with minor revisions in the amendments section of this document.

#### B0303-21 TA

System name: Decedent Claim Files (42 FR 50681) September 28, 1977

Reason: This system has been redesignated as B0303-21 HT A appearing with minor revisions in the amendments section of this document.

#### B0401-02 HQ TA

System name: Statements of Employment and Financial Interest Files (42 FR 50681) September 28, 1977

Reason: This system has been redesignated as B0401-02 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B0401-03 HQ THA

System name: Legal Assistance Care Files (42 FR 50682) September 28, 1977

Reason: This system has been redesignated as B0401-03 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B04002-05 HQ TA

System name: Personnel Property Claim Files (42 FR 50682) September 28, 1977

Reason: This system has been redesignated as B0402-05 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B0402-06 HQ T

System name: Tort Claims File (42 FR 50682) September 28, 1977

Reason: This system has been redesignated as B0402-06 HQ HT appearing with minor revisions in the amendments section of this document.

#### B0402-13 HQ T H A

System name: Agency Claim Files (42 FR 50683) September 28, 1977

Reason: This system has been redesignated as B0402-13 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B0403-12-13-14 HQ T H A S I

System name: Patent Files (42 FR 50683) September 28, 1977

Reason: This system has been redesignated as B0403-12 HQ HT A S I, Patent and Invention Files, and incorporates three systems of records into one system. It appears with minor revisions in the amendments section of this document.

#### B0407-03 HQ THASI

System name: Congressional Correspondence Files (Civilian Personnel—Congressional Inquiries) (42 FR 50684) September 28, 1977

Reason: This system has been redesignated as B0407-03 HQ HT ASID appearing with minor revisions in the amendments section of this document.

#### B0408-11 HQ THASI

System name: Biography Files (42 FR 50684) September 28, 1977

Reason: This system has been redesignated as B0408-11 HQ HT ASI appearing with minor revisions in the amendments section of this document.

#### B0502-03 HQ THA

System name: Master Billet/Access Records (42 FR 50684) September 28, 1977

Reason: This system has been redesignated as B0502-03 HQ HT A appearing with minor revisions in the amendments section of this document.

#### B0502-03-2 HQ THASI

System name: Classified Material Access Files (42 FR 50686) September 28, 1977

Reason: This system has been redesignated as B0502-03-2 HQ HT ASI appearing with minor revisions in the amendments section of this document.

#### B0502-15 HQ THASI

System name: Security Compromise Case Files (42 FR 50686) September 28, 1977

Reason: This system has been redesignated as B0502-15 HQ HT ASI appearing with minor revisions in the amendments section of this document.

#### B0503-01 THASI

System name: Security Identification Issue Files (42 FR 50687) September 28, 1977

Reason: This system has been redesignated as B0503-02 HQ ASI appearing with minor revisions in the amendments section of this document.

#### B0503-03 TA

System name: Firearms Authorization Files (42 FR 50687) September 28, 1977

Reason: This system has been redesignated as B0503-03 HT A appearing with minor revisions in the amendments section of this document.

#### B0503-04 HQ THASI

System name: Parking Permit Control Files (42 FR 50687) September 28, 1977

Reason: This system has been redesignated as B0503-04 HQ HT ASI appearing with minor revisions in the amendments section of this document.



**B0503-05 HQ TASI**

**System name:** Vehicle Registration and Driver Record Files (42 FR 50688) September 28, 1977

**Reason:** This system has been redesignated as B0503-05 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0503-07 TA**

**System name:** Traffic Law Enforcement Files (42 FR 50688) September 28, 1977

**Reason:** This system has been redesignated as B0503-07 HQ A appearing with minor revisions in the amendments section of this document.

**B0503-09 HQ THASI**

**System name:** Key Accountability Files (42 FR 50688) September 28, 1977

**Reason:** This system has been redesignated as B0503-09 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0504-01 HQ TAH**

**System name:** Personnel Security Files (42 FR 50689) September 28, 1977

**Reason:** This system has been redesignated as B0504-01 HQ HT A appearing with minor revisions in the amendments section of this document.

**B0504-01-2 HQ THASI**

**System name:** Personnel Security Files (42 FR 50689) September 28, 1977

**Reason:** This system has been redesignated as B0504-01-2 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0504-01-3 HQ HA**

**System name:** Personnel Security Investigative Files (42 FR 50690) September 28, 1977

**Reason:** This system has been redesignated as B0504-01-3 HQ HT A appearing with minor revisions in the amendments section of this document.

**B0504-02 HQ TGASI**

**System name:** Security Briefing and Debriefing Files (42 FR 50690) September 28, 1977

**Reason:** This system has been redesignated as B0504-02 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0504-02-2 HQ THA**

**System name:** Special Security Briefing and Debriefing Files (42 FR 50690) September 28, 1977

**Reason:** This system has been redesignated as B0504-02-2 HQ HT A appearing with minor revisions in the amendments section of this document.

**B0601-01 HQ TASI**

**System name:** Civilian Personnel Program Reporting Files (42 FR 50691) September 28, 1977

**Reason:** This system has been redesignated as B0601-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0601-01-2 TA**

**System name:** Civilian Personnel Program Reporting Files (Employment Retirement Records) (42 FR 50691) September 28, 1977

**Reason:** This system has been redesignated as B0601-01 HQ HT A appearing with minor revisions in the amendments section of this document.

**B0601-03 HQ THASI**

**System name:** Advanced Personnel Data System—Civilian (APDS-C) (42 FR 50692) September 28, 1977

**Reason:** This system has been redesignated as B0601-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0602-03 HQ THASI**

**System name:** Organization File (42 FR 50692) September 28, 1977

**Reason:** This system has been redesignated as B0602-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0604-03 HQ HTASI**

**System name:** Active Application Files (Applicant Supply Files) (42 FR 50693) September 28, 1977

**Reason:** This system has been redesignated as B0604-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0604-04 TA**

**System name:** Pending Application Files (42 FR 50693) September 28, 1977

**Reason:** This system has been redesignated as B0604-04 HT A appearing with minor revisions in the amendments section of this document.

**B0605-01 HQ THASI**

**System name:** Equal Employment Opportunity Reporting Files (42 FR 50694) September 28, 1977

**Reason:** This system has been redesignated as B0605-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0605-03 HQ THASI**

**System name:** Equal Employment Opportunity Complaint Case Files (42 FR 50694) September 28, 1977

**Reason:** This system has been redesignated as B0605-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0606-01 HQ THASI**

**System name:** Official Personnel Folder Files (42 FR 50694) September 28, 1977

**Reason:** This system has been redesignated as B0606-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0606-02 HQ THAI**

**System name:** Employee Service Record Files (42 FR 50695) September 28, 1977

**Reason:** This system has been redesignated as B0606-02 HQ HT AI appearing with minor revisions in the amendments section of this document.

**B0606-03 HQ THA**

**System name:** Expert and Consultant Data Files (42 FR 50695) September 28, 1977

**Reason:** This system has been redesignated as B0606-03 HQ HT A appearing with minor revisions in the amendments section of this document.

**B0606-05 HQ THASI**

**System name:** Adverse Action Files (42 FR 50695) September 28, 1977

**Reason:** This system has been redesignated as B0606-05 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0607-01 HQ THASI**

**System name:** Personnel Locator Files (Alpha Listing) (42 FR 50696) September 28, 1977

**Reason:** This system has been redesignated as B0607-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0607-03 HQ TASI**

**System name:** Chronological Journal Files (42 FR 50696) September 28, 1977

**Reason:** This system has been redesignated as B0607-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0608-06 HQ THASI**

**System name:** Civilian Training Reporting Files (42 FR 50696) September 28, 1977

**Reason:** This system has been redesignated as B0608-06 HQ HT ASI appearing with minor revisions in the amendments section of this document.



**B0608-07 THA**

**System name:** Civilian Training Program Files (42 FR 50697) September 28, 1977

**Reason:** This system has been redesignated as B0608-07 HT A appearing with minor revisions in the amendments section of this document.

**B0608-08 HQ THASI**

**System name:** Training Files (42 FR 50697) September 28, 1977

**Reason:** This system has been redesignated as B0608-08 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0608-09 HQ THASI**

**System name:** Contract Training Files (42 FR 50697) September 28, 1977

**Reason:** This system has been redesignated as B0608-09 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0601-10 HQ THASI**

**System name:** Record of Training Files (42 FR 50698) September 28, 1977

**Reason:** This system has been redesignated as B0608-10 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0609-01 HQ THASI**

**System name:** Referral and Selection Files (42 FR 50698) September 28, 1977

**Reason:** This system has been redesignated as B0609-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0609-07 HQ THAI**

**System name:** Individual Overseas Employment Referral Files (42 FR 50699) September 28, 1977

**Reason:** This system has been redesignated as B0609-07 HQ HT AI appearing with minor revisions in the amendments section of this document.

**B0610-01 HQ THASI**

**System name:** Hours of Work Files (42 FR 50700) September 28, 1977

**Reason:** This system has been redesignated as B0610-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0610-03 HQ THASI**

**System name:** Appeals Files (42 FR 50700) September 28, 1977

**Reason:** This system has been redesignated as B0610-03 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0610-03-2 HQ THASI**

**System name:** Grievance Files (42 FR 50700) September 28, 1977

**Reason:** This system has been redesignated as B0610-03-2 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0611-01 THAI**

**System name:** Reduction in Force Card Files (42 FR 50701) September 28, 1977

**Reason:** This system has been redesignated as B0611-01 HT AI appearing with minor revisions in the amendments section of this document.

**B0611-03 THAI**

**System name:** Retention Register Files (42 FR 50701) September 28, 1977

**Reason:** This system has been redesignated as B0611-03 HT AI appearing with minor revisions in the amendments section of this document.

**B0612-01 HQ THASI**

**System name:** Basic Labor Relations Files (42 FR 50701) September 28, 1977

**Reason:** This system has been redesignated as B0612-02 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0612-01 HQ THASI**

**System name:** Basic Labor Relations Files (42 FR 50701) September 28, 1977

**Reason:** This system has been redesignated as B0612-01 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0613-05 HQ THASI**

**System name:** Incentive Awards (42 FR 50701) September 28, 1977

**Reason:** This system has been redesignated as B0613-05 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0614-01 T**

**System name:** Official Records (Military) Files and Extracts (42 FR 50702) September 28, 1977

**Reason:** This system has been redesignated as B0614-01 HT appearing with minor revisions in the amendments section of this document.

**B0614-02 TA**

**System name:** Military Services Administrative Record Files (42 FR 50702) September 28, 1977

**Reason:** This system has been redesignated as B0614-02 HT A appearing with minor revisions in the amendments section of this document.

**B0615-02 HQ THASI**

**System name:** Federal, State, and Professional Safety Councils and Committees Files (42 FR 50702) September 28, 1977

**Reason:** This system has been redesignated as B0615-02 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0615-07 HQ THASI**

**System name:** Safety Award Files (42 FR 50703) September 28, 1977

**Reason:** This system has been redesignated as B0615-07 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0615-11 HQ THASI**

**System name:** Accidental Injury/Death Reporting Records Files (42 FR 50703) September 28, 1977

**Reason:** This system has been redesignated as B0615-11 HQ HT ASI appearing with minor revisions in the amendments section of this document.

**B0901-04 TA**

**System name:** Civilian Employee Health Clinic Record Files (42 FR 50703) September 28, 1977

**Reason:** This system has been redesignated as B0901-04 HT A appearing with minor revisions in the amendments section of this document.

**B0901-06 THAS**

**System name:** Blood Donor Files (42 FR 50704) September 28, 1977

**Reason:** This system has been redesignated as B0901-06 HT AS appearing with minor revisions in the amendments section of this document.

**B0901-07 HQ THAI**

**System name:** Alcoholism and Drug Abuse Files (42 FR 50704) September 28, 1977

**Reason:** This system has been redesignated as B0901-07 HQ HT AI appearing with minor revisions in the amendments section of this document.

**B1202-17 TA**

**System name:** Contracting Officer Designation Files (42 FR 50706) September 28, 1977

**Reason:** This system has been redesignated as B1202-17 HT A appearing with minor revisions in the amendments section of this document.

**B1205-05 TA**

**System name:** Property Officer Designation Files (42 FR 50706) September 28, 1977

**Reason:** This system has been redesignated as B1205-05 HT A appearing with minor revisions in the amendments section of this document.



**B1205-23 THASI**

**System name:** Report of Survey Files (42 FR 50707) September 28, 1977

**Reason:** This system has been redesignated as B1205-23 HT ASI appearing with minor revisions in the amendments section of this document.

**B1206-02 TA**

**System name:** Self-Service Store Authorization Card Files (42 FR 50707) September 28, 1977

**Reason:** This system has been redesignated as B1206-02 HT A appearing with minor revisions in the amendments section of this document.

**B1208-06 TA**

**System name:** Motor Vehicle Operator's Permits and Qualifications Files (42 FR 50707) September 28, 1977

**Reason:** This system has been redesignated as B1208-06 HT A appearing with minor revisions in the amendments section of this document.

**B1211-03 HQ TAI**

**System name:** Passport Files (42 FR 50708) September 28, 1977

**Reason:** This system has been redesignated as B1211-03 HQ HT AI appearing with minor revisions in the amendments section of this document.

**B1211-06 HQ TA**

**System name:** Transportation Officer Appointment Files (42 FR 50708) September 28, 1977

**Reason:** This system has been redesignated as B1211-06 HQ HT A appearing with minor revisions in the amendments section of this document.

**B1211-07 HQ TA**

**System name:** Individual Government Transportation Files (42 FR 50708) September 28, 1977

**Reason:** This system has been redesignated as B1211-07 HQ HT A appearing with minor revisions in the amendments section of this document.

**AMENDMENTS**

Following the identification code of the records systems and the specific changes made therein, the complete revised record systems, as amended, are published in their entirety. Citations are to the September 28, 1977 issue of the Federal Register for all of the DMA systems of records.

**B0102-01 HQ HT ASID**

**System name:** Office General Personnel Files (42 FR 50672) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**B0102-03 HQ HT ASI**

**System name:** Office Personnel Locator Files (42 FR 50672) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4066."

**B0102-04 HQ HT ASID**

**System name:** Employee Record Card Files (42 FR 50672) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA

Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4066."

**B0102-08 HQ HT ASID**

**System name:** Office Personnel Information Files (42 FR 50673) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4066."

**B0102-09 HQ HT ASID**

**System name:** Duty Roster Files (42 FR 50673) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4401."

**B0102-09-02 HQ HT ASID**

**System name:** Duty Roster Files (42 FR 50673) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Personnel Office, Military Personnel Division, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). See DMA Directory for complete address listing."

**B0102-10 HQ HT ASID**

**System name:** Standard of Conduct Files (42 FR 50674) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). See DMA Directory for complete address listing."

**B0102-11 HQ HT ASID**

**System name:** Temporary Duty Travel Files (42 FR 50674) September 28, 1977

**Changes:**

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4401."

**B0104-02 HQ HT ASID**

**System name:** Records Access Files (42 FR 50675) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**B0104-12 HQ HT ASID**

**System name:** Security Awareness Files (42 FR 50675) September 28, 1977

**Changes:** NONE



**B0104-13 HQ HT ASID**

**System name:** Personnel Security Clearance Information Files (42 FR 50675) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D), Staff offices, departments, divisions, and branch offices, all Components. See DMA Directory for complete address listing."

**B0201-07 HQ HT**

**System name:** Communications Center Release Authorization (42 FR 50676) September 28, 1977

**Changes:**

**System location:** Delete "T" and insert "HQ, HT."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Special Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4603."

**B0201-07-1 HQ HT A S I D**

**System name:** Military Personnel Reference Paper Files (42 FR 50677) September 28, 1977

**Changes:** NONE

**B0210-06 HQ HT A S I**

**System name:** Inspector General Investigative Files (42 FR 50677) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Office of the Inspector General—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

**B0210-07 HQ HT A S I**

**System name:** Inspector General Complaint Files (42 FR 50677) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Office of the Inspector General—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

**B0228-04 HT**

**System name:** Historical Photographic Files (42 FR 50678) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Delete "DMATC" and insert "DMAHTC."

**System manager(s) and address:** Delete "DMA Topographic Center" and insert "DMA Hydrographic/Topographic Center . . . ."

**B0228-10 HT**

**System name:** Installation Historical Files (42 FR 50678) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Delete "DMATC" and insert "DMAHTC."

**System manager(s) and address:** Delete "DMA Topographic Center" and insert "DMA Hydrographic/Topographic Center." Delete "Rm 215" and insert "Rm. 152."

**B0302-21 HT A**

**System name:** Record of Travel Payments (42 FR 50679) September 28, 1977

**Changes:**

**System location:** Delete "DMA Topographic Center (T) and DMA Hydrographic Center (H)" and insert "DMA Hydrographic/Topographic Center (HT)."

**System manager(s) and address:** Delete the entire entry and insert "Defense Mapping Agency, ATTN: Finance and Accounting Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4466."

**B0302-21-2 HQ HT A**

**System name:** DMA Central Clearance Group Pre-Employment Files (42 FR 50679) September 28, 1977

**Changes:** NONE

**B0303-02HT A**

**System name:** Compensation Data Request Files (42 FR 50680) September 28, 1977

**Changes:**

**System location:** Delete "DMA Topographic Center (T)" and insert "DMA Hydrographic/Topographic Center (HT)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Comptroller, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4398."

**B0303-03 HT A**

**System name:** Individual Retirement Record Control Files (42 FR 50680) September 28, 1977

**System location:** Delete "T and A" and Insert "DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A)."

**Categories of individuals covered by the system:** Delete entire entry and insert "Any civilian employee of DMA who has retired from Government service."

**B0303-21 HT A**

**System name:** Decedent Claim Files (42 FR 50681) September 28, 1977

**Changes:**

**System location:** Delete "DMA Topographic Center (T)" and insert "DMA Hydrographic/Topographic Center (HT)."

**Categories of individuals covered by the system:** Delete "DMA Topographic Center" and insert "DMA hydrographic/Topographic Center."

**B0401-02HQ HT A**

**System name:** Statements of Employment and Financial Interest Files (42 FR 50681) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Statements of DMA Headquarters staff personnel, all special Government employees, all DMA Component Directors, and personnel of Defense Mapping School, Inter American Geodetic Survey, and Office of Distribution Services—Office of General Counsel, DMA Headquarters, Building 56, U.S. Naval Observatory, Washington, D.C. 20305. . . . Statements of personnel assigned to DMA Hydrographic/Topographic Center—Office of Counsel, DMA Hydrographic/Topographic Center, Washington, D.C. 20315. . . . Statements of personnel assigned to DMA Aerospace Center—Office of Counsel, DMA Aerospace Center, St. Louis Air Force Station, Missouri 63118."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

**Notification procedure:** Delete entire entry and insert "General Counsel, DMA Headquarters, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4431. . . . Office of Counsel, DMA Hydrographic/Topographic Center, Washington, D.C. 20315, telephone area code 202-227-2268. . . . Office of Counsel, DMA Aerospace Center, St. Louis Air Force Station, Missouri 63118, telephone area code 314-268-4501."

**Record access procedures:** Delete "Counsel" and insert "General Counsel." Delete entire sentence "Visits will be arranged through the Counsel, HQ DMA" and insert "Visits will be arranged through the General Counsel, HQ DMA."

**B0401-03 HQ HT A**

**System name:** Legal Assistance Case Files (42 FR 50682) September 28, 1977

**Changes:**



**System location:** Delete "HQ, H, and A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A)."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

#### B0402-05 HQ HT A

**System name:** Personnel Property Claim Files (42 FR 50682) September 28, 1977

**Changes:**

**System location:** Delete "HQ, T, and A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A)."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

#### B0402-06 HQ HT

**System name:** Tort Claim Files (42 FR 50682) September 28, 1977

**Changes:**

**System location:** Delete "HQ and T" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT)."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

#### B0402-13 HQ HT A

**System name:** Agency Claim Files (42 FR 50683) September 28, 1977

**Changes:**

**System location:** Delete "HQ, T, H, A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

#### B0403-12 HQ HT A S I

**System name:** Patent Invention Files (42 FR 50683) September 28, 1977

**Changes:**

**System identifier:** Delete the numbers 13 and 14 which have been incorporated under one system identifier.

**System name:** Insert "and Invention Files" after the word "Patent".

**System location:** Insert "General" before the word "Counsel". Delete "HQ T H A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**System manager(s) and address:** Delete "Counsel" and insert "General Counsel."

#### B0407-03 HQ HT A S I D

**System name:** Congressional Correspondence Files (Civilian Personnel—Congressional Inquiries) (42 FR 50684) September 28, 1977

**Changes:** NONE

#### B0408-11 HQ HT A S I

**System name:** Biography Files (42 FR 50684) September 28, 1977

**Changes:** NONE

#### B0502-03 HQ HT A

**System name:** Master Billet/Access Records (42 FR 50684) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Primary System—Special Security/Activities Division, Department of Computer Services, DMA Hydrographic/Topographic Center. Decentralized segments—HQ DMA, DMA Aerospace Center. See DMA Directory for complete address listing."

**Safeguards:** Delete "DMATC" and insert "DMAHTC."

#### B0502-03-2 HQ HT A S I

**System name:** Classified Material Access files (42 FR 50686) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Security Offices—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I)."

#### B0502-15 HQ HT A S I

**System name:** Security Compromise Case files (42 FR 50686) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Primary System—Security Offices—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0503-01 HT A S I

**System name:** Security Identification Issue Files (42 FR 50687) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Security Offices—DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0503-02 HT A S I

**System name:** Security Identification Accountability Files (42 FR 50687) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Security Offices—DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0503-03 HT A

**System name:** Firearms Authorization Files (42 FR 50687) September 28, 1977

**Changes:**

**System location:** Delete "DMATC and DMAAC" and insert "DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A)."

#### B0503-04 HQ HT A S I

**System name:** Parking Permit Control Files (42 FR 50687) September 28, 1977

**Changes:**

**System location:** Delete "Communications."

#### B0503-05 HQ HT A S I

**System name:** Vehicle Registration and Drive Record Files (42 FR 50688) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0503-07 HT A

**System name:** Traffic Law Enforcement Files (42 FR 50688) September 28, 1977

**Changes:**

**System location:** Delete "TC and AC" and insert "DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

#### B0503-09 HQ HT A S I

**System name:** Key Accountability Files (42 FR 50688) September 28, 1977

**Changes:**

**System location:** Delete "HQ, T, H, S, I" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I)."

**Categories of records in the system:** Delete "Documenting" and insert "Documentation."

#### B0504-01 HQ HT A

**System name:** Personnel Security Files (42 FR 50689) September 28, 1977

**Changes:**

**System location:** Delete "HQ, T, H, A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."



System manager(s) and address: Delete "Security Office" and insert "Special Security Office."

#### B0504-01-2 HQ HT A S I

System name: Personnel Security Files (42 FR 50689) September 28, 1977

Changes:

System location: Delete entire entry and insert "Primary System—Security Office—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

Categories of records in the system: In line 12, delete "Southeast Asia Treaty Organization (SEATO)"; in line 16, delete "TOP SECRET SEATO."

#### B0504-01-3 HQ HT A

System name: Personnel Security Investigative Files (42 FR 50690) September 28, 1977

Changes:

System location: Delete entire entry and insert "Primary System—Security Office—DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A). See DMA Directory for complete address listing."

#### B0504-02 HQ HT A S I

System name: Security Briefing and Debriefing Files (42 FR 50690) September 28, 1977

Changes:

System location: Delete entire entry for Decentralized Segments and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0504-02-2 HQ HT A

System name: Special Security Briefing and Debriefing Files (42 FR 50690) September 28, 1977

Changes:

System location: Under Decentralized Segments, delete "HQ, H, A" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

#### B0601-01 HQ HT A S I

System name: Civilian Personnel Program Reporting Files (Master File Printout) (42 FR 50691) September 28, 1977

Changes: NONE

#### B0601-01-2 HT A

System name: Civilian Personnel Program Reporting Files (Employee Retirement Records) (42 FR 50691) September 28, 1977

Changes:

Categories of individuals covered by the system: Delete "DMA Topographic Center" and insert "DMA Hydrographic/Topographic Center."

#### B0601-03 HQ HT A S I

System name: Advanced Personnel Data System—Civilian (ADPS-C) (42 FR 50692) September 28, 1977

Changes: NONE

#### B0602-03 HQ HT A S I

System name: Organization Files (42 FR 50692) September 28, 1977

Changes: NONE

#### B0604-03 HQ HT A S I

System name: Active Application Files (Applicant Supply Files) (42 FR 50693) September 28, 1977

Changes: NONE

#### B0604-04 HT A

System name: Pending Application Files (42 FR 50693) September 28, 1977

Changes:

System location: Delete "DMA Topographic Center" and insert "DMA Hydrographic/Topographic Center."

#### B0605-01 HQ HT A S I

System name: Equal Employment Opportunity Reporting Files (42 FR 50694) September 28, 1977

Changes: NONE

#### B0605-03 HQ HT A S I

System name: Equal Employment Opportunity Complaint Case Files (42 FR 50694) September 28, 1977

Changes: NONE

#### B0606-01 HQ HT A S I

System name: Official Personnel Folder Files (42 FR 50694) September 28, 1977

System location: Delete entire entry and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

#### B0606-02 HQ HT A S I

System name: Employee Service Record Files (42 FR 50695) September 28, 1977

Changes: NONE

#### B0606-03 HQ HT A

System name: Expert and Consultant Data Files (42 FR 50695) September 28, 1977

Changes: NONE

#### B0606-05 HQ HT A S I

System name: Adverse Action Files (42 FR 50695) September 28, 1977

Changes: NONE

#### B0607-01 HQ HT A S I

System name: Personnel Locator Files (Alpha Listing) (42 FR 50697) September 28, 1977

Changes:

System location: Delete "T, H, A" and insert "DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A)."

#### B0607-03 HQ HT A S I

System name: Chronological Journal Files (42 FR 50696) September 28, 1977

Changes:

System location: After "Personnel Offices" insert "DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

#### B0608-06 HQ HT A S I

System name: Civilian Training Reporting Files (42 FR 50696) September 28, 1977

Changes: NONE

#### B0608-07 HT A

System name: Civilian Training Program Files (42 FR 50697) September 28, 1977

Changes: NONE

#### B0608-08 HQ HT A S I

System name: Training Files (42 FR 50697) September 28, 1977

Changes:

System location: Delete "DMA Topographic Center (T)" and insert "DMA Hydrographic/Topographic Center (HT)."

#### B0608-09 HQ HT A S I

System name: Contract Training Files (42 FR 50697) September 28, 1977

Changes: NONE

#### B0608-10 HQ HT A S I

System name: Record of Training Files (42 FR 50698) September 28, 1977

Changes: NONE

#### B0609-01 HQ HT A S I

System name: Referral and Selection Files (42 FR 50698) September 28, 1977

Changes: NONE



**B0609-05 A**

**System name:** Occupational Inventory Files (42 FR 50698) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Decentralized Segments—all directorates, staff agencies, and departments at DMAAC, St. Louis AFS, Missouri."

**Categories of records in the system:** Delete "DMATC" and insert "DMAHTC."

**B0609-07 HQ HT A I**

**System name:** Individual Overseas Employment Referral Files (42 FR 50699) September 28, 1977

**Changes:**

**System location:** Delete "HQ, T, H, A, I" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**B0610-01 HQ HT A S I**

**System name:** Hours of Work Files (42 FR 50700) September 28, 1977

**Changes:** NONE

**B0610-03 HQ HT A S I**

**System name:** Appeals Files (42 FR 50700) September 28, 1977

**Changes:**

**System location:** Delete "HQ, H, A, T, I" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Inter American Geodetic Survey (I)."

**B0610-03-2 HQ HT A S I**

**System name:** Grievance Files (42 FR 50700) September 28, 1977

**Changes:** NONE

**B0611-01 HT A I**

**System name:** Reduction-In-Force Card Files (42 FR 50701) September 28, 1977

**Changes:** NONE

**B0611-03 HT A I**

**System name:** Retention Register Files (42 FR 50701) September 28, 1977

**Changes:** NONE

**B0612-01 HQ HT A S I**

**System name:** Basic Labor Relations Files (42 FR 50701) September 28, 1977

**Changes:** NONE

**B0613-05 HQ HT A S I**

**System name:** Incentive Awards (42 FR 50701) September 28, 1977

**Changes:** NONE

**B0614-01 HT**

**System name:** Official Records (Military) Files and Extracts (42 FR 50702) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**Contesting record procedures:** Delete entire entry and insert "The Agency's rules for contesting contents and appealing initial determinations may be obtained from System Manager."

**B0614-02 HT A**

**System name:** Military Services Administrative Records Files (42 FR 50702) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**Categories of individuals covered by the system:** Delete entire entry and insert "Military personnel assigned to DMA Hydrographic/Topographic Center and DMA Aerospace Center."

**B0615-02 HQ HT A S I**

**System name:** Federal, State, and Professional Safety Councils and Committee Files (42 FR 50702) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Safety Offices-Defense Mapping Agency Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense

Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing."

**System manager(s) and address:** Delete "Administrative and Communications Office" and "telephone area code 202-254-4401" and insert "Facilities Engineering Office" and "telephone area code 202-254-4477."

**B0615-07 HQ HT A S I**

**System name:** Safety Awards Files (42 FR 50703) September 28, 1977

**Changes:**

**System manager(s) and address:** Delete "Administrative and Communications Office" and "telephone area code 202-254-4401" and insert "Facilities Engineering Office" and "telephone area code 202-254-4477."

**B0615-11 HQ HT A S I**

**System name:** Accidental Injury/Death Reporting Record Files (42 FR 50703) September 28, 1977

**Changes:**

**System location:** Delete entire entry and insert "Safety Offices of DMA. See DMA Directory for complete address listing."

**System manager(s) and address:** Delete "Administrative and Communications Office" and "telephone area code 202-254-4401" and insert "Facilities Engineering Office" and "telephone area code 202-254-4477."

**B0901-04 HT A**

**System name:** Civilian Employee Health Clinic Record (42 FR 50703) September 28, 1977

**Changes:**

**System location:** Delete "T and A" and insert "DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**Categories of individuals covered by the system:** Delete entire entry and insert "Any individual employed by DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), and any individual employed by other Government agencies housed in the DMAHTC/DMAAC complexes."

**Categories of records in the system:** Delete "TC" and insert "HTC."

**Retention and disposal:** Delete "Topographic Center" and insert "Hydrographic/Topographic Center."

**System manager(s) and address:** Delete "Topographic Center" and insert "Hydrographic/Topographic Center."

**B0901-06 HT A S**

**System name:** Blood Donors Files (42 FR 50704) September 28, 1977

**Changes:** NONE

**System manager(s) and address:**

**B0901-07 HQ HT A I**

**System name:** Alcoholism and Drug Abuse Files (42 FR 50704) September 28, 1977

**Changes:** NONE

**B1202-17 HT A**

**System name:** Contracting Officer Designation Files (42 FR 50706) September 28, 1977

**Changes:**

**System location:** Delete "T and A" and insert "DMA Hydrographic/Topographic Center and DMA Aerospace Center."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1205-05 HT A**

**System name:** Property Officer Designation Files (42 FR 50706) September 28, 1977

**Changes:**

**System location:** Delete "DMATC" and insert "DMAHTC."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1205-23 HT A S I**

**System name:** Report of Survey Files (42 FR 50707) September 28, 1977



## Changes:

**System location:** Delete "T, H, A, S, I" and insert "DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1206-02 HT A**

**System name:** Self-Service Store Authorization Card Files (42 FR 50707) September 28, 1977

## Changes:

**System location:** Delete "DMATC" and insert "DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1208-06 HT A**

**System name:** Motor Vehicle Operator's Permits and Qualifications Files (42 FR 50707) September 28, 1977

## Changes:

**System location:** Delete "DMATC (T) and DMAAC (A)" and insert "DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1211-03 HQ HT A I**

**System name:** Passport Files (42 FR 50708) September 28, 1977

## Changes:

**System location:** Delete "HQ DMA (HQ), DMATC (T), DMAAC (A), IAGS (I)" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Inter American Geodetic Survey (I)."

**System manager(s) and address:** Delete "and Communications."

**B1211-06 HQ HT A**

**System name:** Transportation Officer Appointment Files (42 FR 50708) September 28, 1977

## Changes:

**System location:** Delete "HQ DMA (HQ), DMATC (T), DMAAC (A)" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**B1211-07 HQ HT A**

**System name:** Individual Government Transportation Files (42 FR 50708) September 28, 1977

## Changes:

**System location:** Delete "HQ DMA (HQ), DMATC (T), DMAAC (A), DMAHC (H)" and insert "DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A)."

**System manager(s) and address:** Delete entire entry and insert "Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, telephone area code 202-254-4475."

**DEFENSE MAPPING AGENCY****B0102-01 HQHTASID****System name:**

102-01 Office General Personnel Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping

School(S), Inter American Geodetic Survey(I), Office of Distribution Services (D), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Employees of DMA Civilian and Military

**Categories of records in the system:**

Consist of copies of and papers relating to time and attendance reports, leave reports, overtime work, work attendance, holidays, athletic events, employee unions, medical services, training, duty assignments, emergency information and similar data on related subjects. List of individuals authorized to receive these services will also be included.

**Authority for maintenance of the system:**

Executive Order 10561, 9/15/54; Designating Official Personnel Folders in Government Agencies as Records of the Civil Service Commission and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer thereof.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Supervisory personnel in their day-to-day personnel actions for; promotion, adverse actions, training and other related actions. File subject to civil service review.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary records. Destroy after 1 year or on discontinuance, whichever is first.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from DMA Directory

**Record access procedures:**

Requests from individuals should be addressed to appropriate organization of address list.

Written requests for information should contain the full name of the individual current address and telephone number, social security number. Visits are limited to normal working hours.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from: System Manager.

**Record source categories:**

Copies of papers relative to time and attendance reports, overtime work, work attendance, leave reports, holidays, athletic events, employee unions, medical services, training and related subjects.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-03 HQHTASI****System name:**

102-03 Office Personnel Locator Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping School(S), Inter American Geodetic Survey(I), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Personnel currently employed or assigned at DMA



**Categories of records in the system:**

Documents reflecting the name, address, telephone number, and similar data for each person.

**Authority for maintenance of the system:**

E.O. 10561 9/15/57; Designating Official Personnel Folders in Government Agencies as Records of the Civil Service Commission and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer thereof.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Supervisory Personnel - Used to record personal information and Military Career Progression and maintained on file to notify appropriate agencies and officials in case of emergencies.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employs security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary records. Destroy on separation or transfer of the individual or preparation of a new list.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from Above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual current address and telephone number, social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager

**Record source categories:**

Information received from employee and other personnel records.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-04 HQHTASID****System name:**

102-04 Employee Record Card Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping School(S), Inter American Geodetic Survey(I), Office of Distribution Services (D), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Active civilian employees of DMA

**Categories of records in the system:**

A record of the employee's conduct, performance evaluations, reprimands, commendations, debts and complaints that may be necessary and useful in making and supporting decisions or work assignments. Cards that provide complete information relative to active employees, position, strength authorization and action in process, such as SF 7B, OF 4B, Summary Records Cards and Air Force (AF) Form 971.

**Authority for maintenance of the system:**

E.O. 10561 9/15/54; Designating Official Personnel Folders in Government Agencies as Records of the Civil Service Commission and

Prescribing Regulations Relating to the establishment, Maintenance and Transfer thereof.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Employee Record File - An up-to-date record on each employee. A reference or locator file for each unit. Information for recommending or requesting personnel actions affecting the employee. Supervisors are encouraged to make the record available for review by the employee. Third party review is limited to supervisors who are considering the employee for a vacancy.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Maintained current on all Civil Service Employees presently employed. Record cards pertaining to employees separated for military service who have restoration rights: Withdrawn and placed in the separation for military service file. Record cards pertaining to employees transferred to other organizational elements within HQ or the same component will be forwarded to the gaining office. Record Cards pertaining to employees separated or transferred from DMA: Destroy on separation or transfer, in CFA.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information summarized from existing records and current entries by supervisors.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-08 HQHTASID****System name:**

102-08 Office Personnel Information Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping School(S), Inter American Geodetic Survey(I), Office of Distribution Services (D), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Employees of DMA Civilian and Military

**Categories of records in the system:**

Supervisory copies of personnel matters that are duplicated in or which are not appropriate for inclusion in the Official Personnel Folder: for example, copies of papers relating to injuries, appreciation and commendation, training received, performance appraisals and assigned responsibilities or off-duty information.

**Authority for maintenance of the system:**



EO 10561 - 9/15/54, Designating Official Personnel Folders in Government Agencies as Records of the CSC and Prescribing Regulations Relating to the Establishment, Maintenance, and Transfer Thereof. 44 U.S.C. 3101

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Supervisory personnel record used for performance ratings and similar uses, appreciation, commendation, career development and responsibilities of employees. Record may be subject to CSC inspection.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings and Facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Records are temporary, review at end of calendar year and destroy documents which have been superseded or are no longer applicable.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from Above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number, and organizational element where employed. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information summarized from existing records and current entries by supervisors.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-09 HQHTASID**

**System name:**

102-09 Duty Roster Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping School(S), Inter American Geodetic Survey(I), Office of Distribution Services (D), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Assigned DMA Personnel

**Categories of records in the system:**

Documents used for recording recurring and routine duties performed by personnel within an office, or organization including special duties performed on a rotating basis.

**Authority for maintenance of the system:**

50 U.S. Code 797; Internal Security - Security Regulations and Orders; Penalty for Violations.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used to record the date and performance of specific duties assigned personnel.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex Book

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary record. Destroy after three months or three months after last entry in book.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4401

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual, current address and telephone number, service number on all correspondence received from this office. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card and give some verbal information that could be verified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Existing records and previous roster

**Systems exempted from certain provisions of the act:**

NONE

**B0102-09-2 HQHTASID**

**System name:**

102-09 Duty Roster Files

**System location:**

Personnel Office, Military Personnel Division, DMA Headquarters (HQ) DMA Hydrographic/Topographic Center (HQ), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D). See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All military personnel assigned duties on a rotating basis.

**Categories of records in the system:**

Documents used for recording recurring and routine duties performed by military personnel within an office, including special duties performed on a rotating basis.

**Authority for maintenance of the system:**

50 U.S.C. 797 - 'Internal Security - Security Regulations and Orders, Penalty for Violation'.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Military Personnel Supervisors - used to record the date and performance of special duties by assigned military members and movement of military.

Subject to inspection by military security.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

File folder or roster book

**Retrievability:**

Alphabetically by last name or date.

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.



**Retention and disposal:**

Temporary record. Destroy after three months or three months after last entry in book.

**System manager(s) and address:**

Director, Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to the System Manager.

Written requests for information should contain the full name of the individual, current address and telephone number, service number (if any) on all correspondence. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office identification card, and give some verbal information that could be identified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determinations may be obtained from: System Manager

**Record source categories:**

Previous roster and existing records.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-10 HQHTASID****System name:**

102-10 Standard of Conduct Files

**System location:**

Personnel Offices - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I), Office of Distribution Services (D), DMAAC(A), IAGS(I), DMA(S). See DMA Directory for complete Address Listing.

**Categories of individuals covered by the system:**

All civilian personnel of DMA.

**Categories of records in the system:**

A signed document by individual indicating that they fully understand the Standard of Conduct and Ethics required of them.

**Authority for maintenance of the system:**

E.O. 11222 - Prescribing Standards of Ethical Conduct for Government Officers and Employees - 5/11/65.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Personnel Office to assure that the employees are kept informed of the Standard of Conduct and ethics required of them.

Supervisory Personnel to assure the employees have read and understand the directives.

Supervisors, Employee representative, counsel - Used as supporting material for corrective actions.

Civil Service Commission - Inspection purposes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders.

**Retrievability:**

Filed alphabetically by last name.

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary record. Destroyed after the next periodic application or one year after obsolescence of the system, or on discontinuance of the office.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from: System Manager.

**Record source categories:**

Forms provided by CSC and signed by individual.

**Systems exempted from certain provisions of the act:**

NONE

**B0102-11 HQHTASID****System name:**

102-11 Temporary Duty Travel Files

**System location:**

Primary DMA Travel Officer - See DMA Directory for complete address Listing.

Decentralized Segment - Offices, all Components having personnel on subject to travel.

**Categories of individuals covered by the system:**

Military or civilian authorized Government travel orders

**Categories of records in the system:**

Requests and authorizations for military personnel and civilian personnel travel

Authority for maintenance of the system: 45 USC 5707 - Travel and Subsistence Expense - Regulations

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used to record authorization to travel, issue orders, make travel arrangements, and prepare voucher for any reimbursement

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Alphabetically by last name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary record. Destroy after one year

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Administrative Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4425

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information furnished by traveler and from the travel office



Systems exempted from certain provisions of the act:  
NONE

#### B0104-02 HQHTASID

**System name:**

104-02 Records Access Files

**System location:**

Primary System - Security Office - See DMA Directory for complete address listing.

Decentralized Segments - Requesting Offices at DMAHTC and organization requiring the access authorization

**Categories of individuals covered by the system:**

Personnel of DMA who need authorization to use classified information in performing their duties

**Categories of records in the system:**

Office request for access and security approvals thereof, roster of individuals authorized access

**Authority for maintenance of the system:**

Executive Order 11652 - Classification and Declassification of National Security Information and Material - 3/10/72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Collateral Security Division to verify security clearance and to approve or disapprove request

Requesting DMA organization to gain approval for employees to have access to perform their duties

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary Record. Security Office - destroy after two years; other offices, destroy when superseded or obsolescence of the authorization document; or on transfer, separation or relief of the individual concerned

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Security clearance documents

**Systems exempted from certain provisions of the act:**

NONE

#### B0104-12 HQHTASID

**System name:**

104-12 Security Awareness Files

**System location:**

Staff Offices, Departments, Divisions and Branch Offices of all Components. See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

All personnel of DMA

**Categories of records in the system:**

A signed document by individuals indicating that they fully understand the security regulation that concerns them

**Authority for maintenance of the system:**

Executive Order 11652 - Classification and Declassification of National Security Information and Material - 3/10/72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Collateral Security Division to assure that the employees are kept informed of the security regulations that concerns them

Supervisory Personnel to assure the employees have read and understood the regulations

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary record - destroy after next application

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Statements signed by individuals

**Systems exempted from certain provisions of the act:**

NONE

#### B0104-13 HQHTASID

**System name:**

104-13 Personnel Security Clearance Information Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A), Defense Mapping School(S), Inter American Geodetic Survey(I), Office of Distribution Services (D), Staff Offices, Departments, Division and Branch Offices, all Components. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Individual employee or assigned in DMA Organizations having security classified information.

**Categories of records in the system:**

Documents relating to the security clearance of individuals. Included are requests for security clearance and copies of notices that individuals have been cleared for classified material, and other documents related to personnel security such as DMA Forms 5210-8-R and AF Form 47 or compatible forms.

**Authority for maintenance of the system:**

E.O. 11652 9/15/54; Classification and Declassification of National Security Information and Material.



Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used internally by supervisors

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper record in file folders and/or Kardex book.

Retrievability:

Filed alphabetically by last name of employee

Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

Retention and disposal:

Temporary record. Destroy on supersession or obsolescence, transfer or separation or on relief of the individual concerned.

System manager(s) and address:

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

Notification procedure:

Information may be obtained from above.

Record access procedures:

Requests from individuals should be addressed to System Manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager

Record source categories:

Results of adjudication of Investigative Files by Military Services and DMA Adjudicators

Systems exempted from certain provisions of the act:

NONE

#### B0201-07 HQHT

System name:

201-07 Communications Center Release Authorization

System location:

Primary System - Communications Center, HQ, HT. See DMA Directory for complete address listing.

Categories of individuals covered by the system:

Individuals authorized to release classified and unclassified messages

Categories of records in the system:

File contains signature cards of individuals who are authorized to release classified and unclassified messages

Authority for maintenance of the system:

Executive Order 11652 - Classification and Declassification of National Security Information and Materials Information and Material - 3/10/72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Communications Center - for the purpose of determining individuals that are authorized to release messages

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Card record filed in cabinet

Retrievability:

Filed alphabetically by last name of employee

Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

Retention and disposal:

This is a temporary record - destroy upon supersession

System manager(s) and address:

Defense Mapping Agency, ATTN: Special Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4603

Notification procedure:

Information may be obtained from above.

Record access procedures:

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

Record source categories:

Information is obtained from the individual's Service Military Personnel Center, the individual's rating official within the HQ DMA and the individual concerned.

Systems exempted from certain provisions of the act:

NONE

#### B0201-07-1 HQHTASID

System name:

201-07 Military Personnel Reference Paper Files

System location:

Military Personnel Office - See DMA Directory for complete address

Categories of individuals covered by the system:

All-active duty military personnel assigned to the Defense Mapping Agency.

Categories of records in the system:

Copies of personnel career briefs provided by the individual's parent Service.

Copies of efficiency reports (USA & USAF), fitness reports (USN), and effectiveness reports (USMC) submitted periodically to the parent Service on each military individual assigned to duty in DMA during the period of such duty.

Copies of personal biographies provided by each military individual assigned to DMA.

Copies of official correspondence submitted by the individual concerned to his/her parent Service or from his/her parent Service to the individual concerned regarding requested or proposed duty assignments and related matters.

Copies of award recommendations originated within DMA for military personnel.

Copies of the Military Personnel Information Roster for the Headquarters and each of the DMA Components. This roster is updated monthly and shows the following information for all military personnel assigned: JTD Paragraph and Line Number, Position Title, Military Occupational Specialty, Grade, Service, Specialty Branch, Supplementary Remarks, Incumbent's Grade, Incumbent's Name, Incumbent's Social Security Account Number, Supplementary Remarks, Incumbent's Estimated Date of Departure.

Authority for maintenance of the system:

44 USC 3101; Records Management by Federal Agencies

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Heads of major staff elements to determine the acceptability of an individual nominated by the parent Service for a DMA position.

For review by appropriate DMA officials responsible for the preparation of efficiency/fitness/effectiveness reports, and award recommendations and presentations.

For use of appropriate officials within DMA Military Personnel Division in conducting routine daily business as prescribed by the Director, Defense Mapping Agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:



Paper records in file folders.

**Retrievability:**

Filed alphabetically by last name of military person.

**Safeguards:**

Building in which files maintained is not open to general public and is guarded on 24-hour basis. Files are maintained in a single lock filing cabinet and are accessible only to Military Personnel Division officials.

**Retention and disposal:**

The file of each military person is maintained for six months to one year after detachment of the individual from the DMA at which time it is destroyed manually.

**System manager(s) and address:**

Chief, Military Personnel Division, Headquarters Defense Mapping Agency, Building 56, Naval Observatory, Washington, D.C. 20305, telephone 202-254-4497.

**Notification procedure:**

Information may be obtained from System Manager.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain full name, grade, branch, Service, current address and telephone number of the individual. Visits will be arranged through the System Manager.

For personal visits, the individual should be able to provide acceptable identification such as a Military Identification Card and be prepared to provide some verbal information that can be verified with his file.

**Contesting record procedures:**

The Defense Mapping Agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the System Manager.

**Record source categories:**

Information is obtained from the individual's Service Military Personnel Center, the individual's rating official within the HQ DMA and the individual concerned.

**Systems exempted from certain provisions of the act:**

NONE

**B0210-06 HQHTASI**

**System name:**

210-06 Inspector General Investigative Files

**System location:**

Office of the Inspector General - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any individual, military or civilian assigned to, employed by or having reason to do official business with the Defense Mapping Agency or one of its employees.

**Categories of records in the system:**

Investigative Files consist of written inquiries or investigative reports pertaining to complaints, possible violations or improper procedures pertaining to DMA personnel, procedures, policies or programs.

**Authority for maintenance of the system:**

44 U.S.C. 3101, Records Management by Federal Agencies.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Inspector General and Command Officials - to analyze and evaluate the effectiveness and efficiency of DMA policies, programs and procedures.

Complaints, inquiries or investigations are used to initiate proper corrective action if the allegation is proven to be true in fact.

Security - Personnel - Supervisors - Used as basis for corrective actions.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

Files are considered official in nature and are made available only to the Inspector General and Command officials.

**Storage:**

Paper records are stored in file folders and secured in safe-file cabinets.

**Retrievability:**

Alphabetically by last name or subject matter

**Safeguards:**

Building, facilities employ security guards and alarms. Records are maintained in areas accessible only to authorized personnel that are properly screened cleared and trained.

**Retention and disposal:**

Files accumulated in the Office of the Inspector General as permanent. Cut off on completion of investigation.

**System manager(s) and address:**

Inspector General, Headquarters, Defense Mapping Agency, Bldg 56, U.S. Naval Observatory, Washington, D.C. 20305

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agency rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Inspector General Investigative reports are the written results of IG inquiries or investigation of written or oral allegations from complaints.

**Systems exempted from certain provisions of the act:**

NONE

**B0210-07 HQHTASI**

**System name:**

210-07 Inspector General Complaint Files

**System location:**

Office of the Inspector General - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any individual, military or civilian assigned to, employed by or having reason to do official business with the Defense Mapping Agency or one of its employees.

**Categories of records in the system:**

File contains letters or memorandums received by the Defense Mapping Agency wherein someone has complained about DMA personnel, programs, policies and/or procedures.

**Authority for maintenance of the system:**

44 U.S.C. 3101, 3102 - Records management by Federal Agencies

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Inspector General and Command officials - As a basis to conduct an inquiry or investigation of the complaint and to initiate proper corrective action if justified.

Security, Personnel, Supervisors - as a basis for corrective action

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

Files are considered official in nature and are made available only to the Inspector General and Command officials.

**Storage:**

Paper records are stored in file folders and secured in safe-file cabinets.

**Retrievability:**

Alphabetically by last name of individual or by subject.

**Safeguards:**

Buildings, facilities located on guarded military installations. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**



Temporary Record. Destroy one year after completion and close of case.

**System manager(s) and address:**

Inspector General, Headquarters Defense Mapping Agency, Bldg 56, U.S. Naval Observatory, Washington, D. C. 20305.

**Notification procedure:**

Information may be obtained from System Manager.

**Record access procedures:**

Request from individual should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, etc., and some verbal information.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Source of Inspector General Complaint files are letters or memorandums received by HQ DMA from military or civilian.

**Systems exempted from certain provisions of the act:**

NONE

**B0228-04 HT**

**System name:**

AR 228-04 Historical Photographic Files

**System location:**

Public Affairs office of DMAHTC - See DMA Directory for complete address.

Decentralized Segments - Records Holding Area, Records Management Division of DMAHTC

**Categories of individuals covered by the system:**

Commanding Officers; civilian employees (staff organization) VIP visitors; awards, suggestions, sports, retirement ceremonies.

**Categories of records in the system:**

Photographs and negatives of

**Authority for maintenance of the system:**

5 U.S.C. 301 - Departmental Regulations

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Public Affairs Office - furnish copies of photographs to organizations that requested photographs to be taken.

Records Holding Area - Researchers and Historians - To obtain the background information regarding events, ceremonies, awards, sports, retirements at DMAHTC for input to newspapers, magazine articles.

Release to News Media for Public Relations and Community Affairs Matters.

Organizers of testimonials, banquets and parties.

Supervisors - Recognize accomplishments and publications.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Prints and negatives filed in cabinets.

**Retrievability:**

Filed by name and/or event

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Records are Permanent. Records will be retired to Washington National Records Center on discontinuance of the installation.

**System manager(s) and address:**

DMA Hydrographic/Topographic Center, ATTN: Public Affairs Office, Room 152, Erskine Hall, 6500 Brookes Lane, Washington, D.C. 20315, TELEPHONE: Area Code 202/227-2007

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individual current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Photographs taken at awards ceremonies; Sporting events; retirement parties.

**Systems exempted from certain provisions of the act:**

NONE

**B0228-10 HT**

**System name:**

AR 228-10 Installation Historical Files

**System location:**

Public Affairs Office of DMAHTC - See DMA Directory for complete address.

Decentralized Segments - Records Management Division - Records Holding Area of DMAHTC

**Categories of individuals covered by the system:**

Individuals who have given speeches or written an article for a magazine or newspaper.

**Categories of records in the system:**

Copies of Speeches and articles for magazine or newspapers

**Authority for maintenance of the system:**

5 U.S.C. 301 - Departmental Regulations

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Historian - To furnish background information on the history of the installations.

Public Affairs Office and Records Management Division - to obtain up-to-date information on all speeches, articles for magazines and newspapers published or given by an individual of DMAHTC.

Released to News Media for Public Relations and Community Affairs.

Organizers of testimonials, banquets and supervisors to recognize accomplishments and publications.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders.

**Retrievability:**

Files retrieved alphabetically by name of individual.

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

This is a permanent record. Retired from Records Holding Area.

**System manager(s) and address:**

DMA Hydrographic/Topographic Center, ATTN: Public Affairs Office, Room 152, Erskine Hall, 6500 Brookes Lane, Washington, D.C. 20315, TELEPHONE: Area Code 202/227-2007

**Notification procedure:**

Information may be obtained from Above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.



**Record source categories:**

Employee copies of speeches; newspapers; magazines, photographs and related publications.

**Systems exempted from certain provisions of the act:**

NONE

**B0302-21 HTA****System name:**

302-21 Record of Travel Payments

**System location:**

DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center(A). Office of the Comptroller, Pay and Travel Branch. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any employee of Defense Mapping Agency reimbursed for Travel.

**Categories of records in the system:**

Card file containing information used to reflect travel allowance payments made to individuals.

**Authority for maintenance of the system:**

5 U.S.C. 5707; Travel and subsistence Expenses-Regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Cards used to reflect travel allowance payments made to employees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Records are temporary. Cutoff on separation of employee, inactive three years then destroyed.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Finance and Accounting Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4466

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual, current address and telephone number, and the travel number of visit, place visited and date on all correspondence received from this office. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified with his 'case' folder.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Travel orders and vouchers

**Systems exempted from certain provisions of the act:**

NONE

**B0302-21-2 HQHTA****System name:**

302-21-2 DMA Central Clearance Group Pre-Employment Files

**System location:**

Security Office, DMA Headquarters (HQ) See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any civilian applicant for a sensitive position within DMA

**Categories of records in the system:**

File includes investigations, board determinations letters or written interrogatories, applicant response letters

**Authority for maintenance of the system:**

Section 7532 of title 5, United States Code; Suspension and Removal

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

HQ DMA SO - Staff Director of Security, HQ DMA acts as executive secretary for the DMA Central Clearance Group. He processes all papers pertaining to an individual case and assures all actions taken are in compliance with DOD directives and regulations.

Director DMA - The authority to deny employment based on security reasons is vested solely in the authority of the Director DMA: the Central Clearance Group will review all derogatory cases and make recommendation to the Director.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

File has been rarely used within DMA; it is established to provide for the filing of papers in the event a case as specified in DOD Directive 5200.7 Department of Defense Civilian Applicant and Employee Security Program, 31 Jan 67, should be processed.

**Storage:**

Paper records in file folders and/or Kardex book

**Retrievability:**

File alphabetically by last name of employee.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Office of the secretariat designated office of record: Permanent. Cutoff when no longer needed for current operations.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual, current address and telephone number. Visits are limited to Security Office, Building 56, U.S. Naval Observatory.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, etc., and some verbal information that could be verified with his 'case' folder.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from: System Manager.

**Record source categories:**

DMA Central Clearance Group files are the result of unfavorable investigations pertaining to applicants for possible DMA employment. Determinations by the group and resulting correspondence between the group and individual are the source of the remaining files.

**Systems exempted from certain provisions of the act:**

NONE

**B0303-02 HTA****System name:**

303-02 Compensation Data Request Files

**System location:**

Finance Accounting of DMA Hydrographic/Topographic Center (HT) and Aerospace Center (A). See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All civilian employees requesting compensation.

**Categories of records in the system:**

Correspondence relating to Federal Employee Compensation claims.

**Authority for maintenance of the system:**

21 USC 1175



**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To record documents and correspondence on employees who have been injured on the job, received treatment from a medical facility, and filed a claim for compensation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders.

**Retrievability:**

Filed alphabetically by employee last name.

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary record. Destroyed after 2 years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Comptroller, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4398

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, and social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification; that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Requests from individuals for information, notice of determination and refusal of work offer. Request for claims of compensation.

**Systems exempted from certain provisions of the act:**

NONE

**B0303-03 HTA**

**System name:**

303-03 Individual Retirement Record Control Files

**System location:**

Primary System - Civil Service Commission, Retirement Bureau, Washington, D.C. 20315

Decentralized Segments - Personnel Office, DMA Hydrographic/Topographic Center and DMA Aerospace Center.

**Categories of individuals covered by the system:**

Any civilian employee of DMA who has retired from government service.

**Categories of records in the system:**

File contains employee's application for retirement from the Federal Service including documentation concerning physical disability retirement.

**Authority for maintenance of the system:**

E.O. 10561 - Designating Official Personnel Folders in Government Agencies as Records of CSC and Prescribing Regulations Relating to the Establishment, Maintenance, and Transfer Thereof - 9/15/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To take follow-up action or answer questions from the retiree, survivors, Civil Service Commission, and health and life insurance carriers.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary - Retain in active file. Destroy after 4 years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Application for retirement from Federal Service, and related documentation.

**Systems exempted from certain provisions of the act:**

NONE

**B0303-21 HTA**

**System name:**

303-21 Decedent Claim Files

**System location:**

Personnel Office - DMA Hydrographic/Topographic Center (HT) and Aerospace Center (A). See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All civilian employees of DMA Hydrographic/Topographic Center or DMA Aerospace Center.

**Categories of records in the system:**

Death separation - FE Form 6, SF 1153, SF 2800, and other allied papers and correspondence.

**Authority for maintenance of the system:**

21 USC 1175

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Purpose of this file is to document the death of a career employee. Users are: Personnel Office to maintain/ascertain that documents are in file for employees who have been separated due to death.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folder.

**Retrievability:**

Alphabetically by employee last name.

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary record. Destroyed after 10 years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager.



Written requests for information should contain the full name of the individual, current address and telephone number, and social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification; that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

#### Contesting record procedures:

The Department's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

#### Record source categories:

Copies of vouchers with supporting documents, letters/claims from decedents.

#### Systems exempted from certain provisions of the act:

NONE

### B0401-02 HQHTA

#### System name:

401-02 Statements of Employment and Financial Interest Files

#### System location:

Statements of DMA Headquarters Staff personnel, all Special Government Employees, all DMA Component Directors and personnel of Defense Mapping School, Inter American Geodetic Survey and Office of Distribution Services - Office of General Counsel, DMA Headquarters, Building 56, U.S. Naval Observatory, Washington, D.C. 20305.

Statements of personnel assigned to DMA Hydrographic/Topographic Center, Office of Counsel, DMA Hydrographic/Topographic Center, 6500 Brooks Lane, N.W., Washington, D.C. 20315.

Statements of personnel assigned to DMA Aerospace Center, St. Louis Air Force Station, MISSOURI.

#### Categories of individuals covered by the system:

Defense Mapping Agency civilian personnel classified at GS-13 or above, and military officers serving in the grade of O-5 or above, whose duties require the exercise of judgment in making Government decisions in regard to monitoring grants or subsidies; contracting and procurement; auditing; or other activities having a significant economic impact on the interests of any non-Federal enterprise.

Special Government Employees of the Defense Mapping Agency serving as advisors or consultants.

#### Categories of records in the system:

File includes: individual's completed DD Form 1555 'Confidential Statement of Employment and Financial Interests,' (DD Form 1555-1 in the case of Special Government Employees) containing information as to employment and financial interests, creditors and interests in real property. Such forms are filed by individuals upon employment in affected positions and renewed annually thereafter.

#### Copies of the individual's current position description:

Signed statements of the individual concerned stating that none of the interests listed on his Form 1555 constitute a conflict of interest with respect to the duties of his present position.

File also contains correspondence indicating review of the individual's statement by his supervisor, and may contain correspondence between the individual, his supervisor and Agency Counsel relative to any apparent conflicts disclosed in the individual's statement and resolution thereof.

#### Authority for maintenance of the system:

Part IV, Executive Order 11222, 'Prescribing Standards of Ethical Conduct for Government Officers and Employees' (as amended).

#### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Individual's Supervisor (superior officer or official responsible for signing military evaluation reports or civilian performance ratings)-to determine the existence of, and, if possible, to resolve, any real or apparent conflict between the personal financial interests of the individual concerned and the performance of his services for the Government.

Agency Legal Counsel--to (1) review the individual's statement and the supervisor's evaluation thereof for legal sufficiency, (2) to assist in the resolution of any conflicts disclosed in such statements, and (3) to maintain and safeguard the confidentiality of all such statements.

Directors of Defense Mapping Agency Components and Heads of Defense Mapping Agency Headquarters Major Staff Elements--for review, comment and appropriate action with respect to resolution of any real or apparent conflicts disclosed by the statement of an individual.

The Director, Headquarters Defense Mapping Agency or the Staff Director of Personnel (as designee)--to review and take action on any conflicts not previously resolved.

Department of Justice--for possible use in investigation/prosecution of fraud or other violation of conflict of interest laws.

#### Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

##### Storage:

Paper records in file folders.

##### Retrievability:

Filed alphabetically by last name of employee.

##### Safeguards:

Buildings in which files maintained are not open to general public and are guarded on 24-hour basis. Records are maintained in combination safes and are accessible after completion of review only to Agency Counsel. Each submission and subsequent annual renewals are kept in individual, sealed manila envelopes to prevent unauthorized disclosures.

##### Retention and disposal:

This is a temporary record. The record of each employee is maintained until his death, retirement or separation from the Defense Mapping Agency and for six (6) years thereafter at which time it is destroyed.

##### System manager(s) and address:

General Counsel, DMA Headquarters, Building 56, US Naval Observatory, Washington, D.C. 20305.

##### Notification procedure:

Information may be obtained from:

General Counsel, DMA Headquarters, Building 56, US Naval Observatory, Washington, DC. 20305, telephone 202 254-4431.

Counsel Defense Mapping Agency Hydrographic/Topographic Center, Washington, D.C. 20315, telephone 202 227-2268.

Counsel Defense Mapping Agency Aerospace Center, St. Louis Air Force Station, Missouri 63118, telephone 314 268-4501.

##### Record access procedures:

Requests from individuals should be addressed to: General Counsel, DMA Headquarters Building 56, U.S. Naval Observatory, Washington, D.C. 20305.

Written requests for information should contain the full name and current address and telephone number of the individual. Visits will be arranged through the General Counsel, Headquarters DMA.

For personal visits, the individual should be able to provide some acceptable identification, such as a drivers license or an employer's identification card, and be prepared to provide some verbal information that can be verified with his file.

##### Contesting record procedures:

The Defense Mapping Agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

##### Record source categories:

Statements (DD Form 1555) and related documents are obtained from the individual concerned.

##### Systems exempted from certain provisions of the act:

NONE

### B0401-03 HQHTA

#### System name:

401-03 Legal Assistance Case Files

#### System location:

Office of Counsel, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and Aerospace Center (A). See DMA Directory for complete address listing.

#### Categories of individuals covered by the system:

Military personnel assigned to DMA who request legal assistance

#### Categories of records in the system:

Files contain legal opinions of the counsel regarding personal matters of an individual. Also copies of document prepared on behalf of the individual.

#### Authority for maintenance of the system:

44 U.S.C. 3101; - Records Management by Federal Agencies

#### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:



Office of Counsel - for consultation with individual involved, and for reference and precedent value.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

This record is a temporary record. Records are destroyed one year after completion of the case. Selected opinions and correspondence withdrawn for use as precedent may be held until no longer required for reference.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Request from military individual for legal opinion on a personal matter, opinions of counsel and documents prepared by counsel.

**Systems exempted from certain provisions of the act:**

NONE

**B0402-05 HQHTA**

**System name:**

402-05 Personal Property Claim Files

**System location:**

Primary System - Office of Counsel, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A) - See DMA Directory for complete address listing.

Decentralized Segments - National Washington Record Center, GSA, 4205 Suitland Road, Suitland, Maryland 20409, Department of Army, Judge Advocate General, Pentagon, Washington, D.C.

**Categories of individuals covered by the system:**

DMA personnel having a claim against the Government for loss, damage, or destruction of personal property.

**Categories of records in the system:**

Files contain request from individuals filing for a claim for damage, loss or destruction of personal property, and related correspondence to that request; investigative reports and recommendations of the investigator; opinions of counsel.

**Authority for maintenance of the system:**

44 U.S.C. 3101; - Records Management by Federal Agencies

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Office of Counsel - Preliminary investigation and legal opinions for recommendation to higher authority for further disposition of claim.

National Washington Records Center - To store and maintain inactive records; The Department of Justice in event of Litigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

This is a temporary record. 25 years for disapproved claims and claims involving a minor, COFF on final action. Inactive one year, transfer Records Holding Area. Hold one year, retire National Washington RECORD CENTER, hold 23 years, destroy. Approved Claims - 10 year. COFF final action. Hold one year inactive, Transfer RHA, hold nine years - destroy

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Application or related forms from the individual requesting claim against the Government; correspondence relating to the claim; investigative reports and recommendations of investigator.

**Systems exempted from certain provisions of the act:**

NONE

**B0402-06 HQHT**

**System name:**

402-06 Tort Claim Files

**System location:**

Primary System - Office of Counsel, DMA Headquarters (HQ), and DMA Hydrographic/Topographic Center (HT). See DMA Directory for complete Address Listing.

Decentralized Segments - Washington National Records Center, GSA, 4205 Suitland Road, Suitland, Maryland 20409

**Categories of individuals covered by the system:**

Any individual filing tort claim against DMA for damage, loss, or destruction of property and for personal injury or death resulting from negligence or wrongful act or omission of acts by DMA personnel.

**Categories of records in the system:**

File contains individual's claim, correspondence relating to such claim and related processing papers, opinion of Counsel.

**Authority for maintenance of the system:**

Federal Tort Claim Act - 28 U.S.C. Sec. 2671 - Sec. 2680

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Office of Counsel - Preliminary investigation and legal opinion for recommendation to higher authority for further disposition of claim.

Records Holding Area, RMD - To maintain inactive records for destruction or transferring to Washington National Record Center at the end of a given date.

Washington National Record Center - to maintain records until destruction on a given date.

Army Judge Advocate General - for possible settlement

Department of Justice - in the event of litigation

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book.



**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary record/approved claims: 10 year record, COFF on final action. Inactive one year, transfer Records Holding Area, hold nine years, destroy.

Disapproved claims and claims involving personal injury or a minor - COFF on final action, hold one year inactive, transfer Records Holding Area, hold 1 year, transfer to Nat'l Wash. Record Ctr, hold 23 years, destroy.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be address to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Claims against DMA from individuals, correspondence relating to such claims, photographs, investigative documents, legal opinions. Systems exempted from certain provisions of the act:

NONE

**B0402-13 HQHTA****System name:**

402-13 Agency Claim Files

**System location:**

Office of Counsel - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A). See DMA Directory for complete address

**Categories of individuals covered by the system:**

Individual against whom Agency has legal claim

**Categories of records in the system:**

Information pertaining to Agency claim against an individual involved in damage suit. All correspondence relating to such claims, legal opinions by counsel, investigative reports.

**Authority for maintenance of the system:**

44 USC 3101 - Records Management by Federal Agencies

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Office of Counsel - to attempt settlement and prepare for possible litigation

Records Holding Area - to maintain and storage of records until the destruction date of the file

Transfer to Department of Justice in event of litigation. Transfer to designated local Government representatives who have delegated authority to investigate and/or settle claim

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed by case (name of potential dependent)

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary Record - this file is a ten year record. COFF after final action. Inactive one year, transfer to Records Holding Area, hold for nine years - destroy

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Investigative reports by civilian or military police at accident sites, statements by Government personnel involved in accident; in general, any type of information gathered in anticipation of litigation and legal opinions, statements of witnesses.

**Systems exempted from certain provisions of the act:**

NONE

**B0403-12 HQHTASI****System name:**

403-12 Patent and Invention Files

**System location:**

Primary System - Office of General Counsel, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A). See DMA Directory for complete address listing.

Decentralized Segments - The Judge Advocate General, Department of the Army, ATTN: DAJA-PA, Washington, D.C.; Commissioner of Patents, Washington, D.C. 20231

**Categories of individuals covered by the system:**

Personnel who have submitted technical descriptions, invention disclosures and/or for which patent application has been made or a patent issued

**Categories of records in the system:**

Patent application with related invention disclosure claims and all amendments, petitions, appeals, patent and related correspondence

**Authority for maintenance of the system:**

E.O. 10096, as amended - Uniform Government Patent Policy for Inventions by Government Employees; 1/23/50

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used by Office of Counsel in conducting patentability search. Also used in further discussions between Counsel and inventor. In cases where Defense Mapping Agency has no direct interest in the invention, the file may be forwarded to Patent Counsel of other Government agencies who may have interest in processing patent application.

Army JAG Patents Div for processing patent applications per Title 35 USC. Used by US Patent Office per Title 35 USC

Office of Counsel for reference and precedent material

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**



Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary Record - cut off annually after issuance of the patent, transfer to Records Holding Area, hold two additional years, retire to the Washington National Records Center, hold additional 23 years, and destroy

**System manager(s) and address:**

Defense Mapping Agency, ATTN: General Counsel, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4431

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Notification procedure:**

Information may be obtained from System Manager

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individuals current address with the office symbol on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager

**Record source categories:**

Information supplied by inventor plus any technical legal additions generated by Counsel and US Patent Office, and all related correspondence

**Systems exempted from certain provisions of the act:**

NONE

**B0407-03 HQHTASID**

**System name:**

407-03 Congressional Correspondence Files (Civilian Personnel-Congressional Inquiries)

**System location:**

Personnel Offices - See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

Any employee who has written their Congressman or Senator regarding their employment with the Agency

**Categories of records in the system:**

Includes employee's letter to Congressman or Senator, referral letter from Congressman's/Senator's Office to the Agency, documents related to the matter, Agency reply to Congressman/Senator

**Authority for maintenance of the system:**

5 USC 2954 - Information to Committee of Congress on Requests  
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information is used to investigate and attempt to resolve employee problems conveyed to their Congressman/Senator  
Officials of the Congressman's/Senator's Office  
Personnel Office  
Supervisors

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary Record - destroy after five years

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager

**Record source categories:**

Correspondence and Internal Memos originated by Employees, Congressman, Senator, Personnel Office and Supervisors

**Systems exempted from certain provisions of the act:**

NONE

**B0408-11 HQHTASI**

**System name:**

408-11 Biography Files

**System location:**

Public Affairs Officer, See DMA Directory for complete address

**Categories of individuals covered by the system:**

All top management and other key personnel of DMA

**Categories of records in the system:**

Biographies; photographs; newspaper clippings and related documents pertaining to leading military and civilian personalities

**Authority for maintenance of the system:**

44 USC 3101 - Records Management by Federal Agencies

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Public Affairs Office - for release on public relations and community affairs matters

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Record is Permanent. Destroy two years after transfer, separation or death of the individual concerned

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Public Affairs Officer, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4532

**Notification procedure:**

Information may be obtained from above

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**



The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Biographical data furnished by individual

Systems exempted from certain provisions of the act:

NONE

**B0502-03 HQHTA**

**System name:**

502-03 Master Billet/Access Record

**System location:**

Primary System - Security - Special Security/Activities Division, Department of Computer Services, DMA Hydrographic/Topographic Center. Decentralized segments - HQ DMA, DMA Aerospace Center. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All DMA employees and contractor personnel authorized and indoctrinated for access to Sensitive Compartmented Information (SCI). In addition, employees of other Government Agencies are included for the period during which their SCI access status is permanently certified to DMA.

**Categories of records in the system:**

File may contain for an individual the following: name, rank/grade, military component or civilian status, social security number, SCI billet number and title, SCI accesses authorized and held, date Background Investigation completed, date indoctrinated or debriefed, date and state of birth, DMA badge number and expiration date, and whether an authorized courier of SCI material.

Transcript and IBM card inputs are submitted to and batch produced output is received from the computer system and terminal operation.

**Authority for maintenance of the system:**

E.O. 11652 - Classification and Declassification of NS Information and Materials 3/10/72

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

File used to produce Confidential rosters of personnel authorized SCI to access for control of access to areas accredited for use of this information and for certification of SCI access status to other Government agencies; for updating of Defense Intelligence Agency (DIA) Security Management Information System (SMIS) file.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system.

**Storage:**

Records filed on magnetic tape.

**Retrievability:**

Information recorded alphabetically by last name and numerically by billet number

**Safeguards:**

Secured in alarmed vault in guarded building. Vault accessible only to properly cleared, authorized personnel. Transmission of system data between DMAAC and DMATC is by Secure (encrypted) teletype circuit.

**Retention and disposal:**

Active records only are maintained. Records of personnel debriefed for SCI access are dumped on a debrief tape which is printed as an alphabetical listing cumulatively each month for one year, then the tape is erased. Old printed listing is destroyed when replaced by new printed listing (weekly).

**System manager(s) and address:**

Director, Defense Intelligence Agency (DS-6C2), The Pentagon, Washington, D. C. 20301

**Notification procedure:**

Information may be obtained from Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Record access procedures:**

Requests from individuals should be addressed to above. Written requests for information should contain the full name of the individual Social Security Number, current address and telephone number.

For personal visits, the individual should be able to furnish personal identification containing his/her full name, Social Security Number, physical description, photograph, and signature.

**Contesting record procedures:**

The agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Record source categories:**

Information originated by maintaining office. Bases of billet entries are approval messages or correspondence from DIA; bases for incumbent entries are indoctrination oaths executed by incumbents at time of indoctrination.

**Systems exempted from certain provisions of the act:**

NONE

**B0502-03-2 HQHTASI**

**System name:**

502-03 Classified Material Access Files

**System location:**

Primary System - Security Offices - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I).

Decentralized Segments - Requesting offices at DMA and organizations requiring the access authorization. See DMA Directory for complete address listing.

DIA, JCS

**Categories of individuals covered by the system:**

Individuals authorized to have access to classified files

**Categories of records in the system:**

Documents reflecting authorization to have access to classified material. They include forms containing individual's name, and signature, classification of files concerned, information desired, and signature of an official authorizing access.

**Authority for maintenance of the system:**

Executive Order 116523/10/72; Classification and Declassification of National Security Information.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Office - Check of authorized individuals for access to classified material and guard authorization.

Requesting DMA organizations - to gain approval for employees to have access to perform their duty.

Requiring DMA and other Agencies - to allow employees the right to use classified information.

DIA - to verify who has been granted authority to Special Security information.

JCS - to verify who has been granted authority to use JCS papers.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

File alphabetically by last name or grade of individual requiring access

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary Record - Destroy on transfer, reassignment, or separation of the individual.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.



Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

#### Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

#### Record source categories:

Report of investigating agency that conducted the background investigation.

#### Systems exempted from certain provisions of the act:

NONE

### B0502-15 HQHTASI

#### System name:

502-15 Security Compromise Case Files

#### System location:

Primary System - Security Offices - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I). See DMA Directory for complete address listing  
Decentralized Segments - Dept. of Justice and FBI on felonies cases.

#### Categories of individuals covered by the system:

DMA personnel security violation

#### Categories of records in the system:

Documents relating to investigations of alleged security violations, such as missing documents, unauthorized disclosure of information, unattended open security containers, documents not properly safeguarded and matters of a similar nature.

**Authority for maintenance of the system:** Executive Order 116523/10/72; Classification and Declassification of National Security Information and Material.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Office - Conduct security investigations.

Dept. of Justice and FBI - for advise on felony cases.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

#### Storage:

Paper record in file folders and/or Kardex book.

#### Retrievability:

Filed alphabetically by last name of employee

#### Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

#### Retention and disposal:

Temporary Record - Destroy two years after completion of final corrective or disciplinary action, except that records of violations of a sufficiently serious nature to be classed as felonies are permanent.

#### System manager(s) and address:

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

#### Notification procedure:

Information may be obtained from System Manager.

#### Record access procedures:

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

#### Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from: System Manager.

#### Record source categories:

Reporting organization or official

#### Systems exempted from certain provisions of the act:

NONE

### B0503-01 HTASI

#### System name:

503-01 Security Identification Issue Files.

#### System location:

Security Offices - DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I). - See DMA Directory for complete address listing.

#### Categories of individuals covered by the system:

Any Civilian Employees

#### Categories of records in the system:

File contains the application, supporting materials and the number of the identification badge.

#### Authority for maintenance of the system:

E.O. 11652 - 'Classification and declassification of National Security Information and Material'. - 3/10/72.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Maintain accountability for identification cards and badge accountability form.

Category of users - Supervisor, Personnel and Security Office  
To identify persons to whom badges and identification cards are issued.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

#### Storage:

5x8 Cards filed in Kardex Container

#### Retrievability:

Filed alphabetically by last name.

#### Safeguards:

Facility employs security guards on a continuous basis. Cards are maintained in area accessible only to authorized personnel.

#### Retention and disposal:

Record is placed in the inactive file upon supersession or obsolescence, and destroyed after three (3) years.

#### System manager(s) and address:

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

#### Notification procedure:

Request should be addressed to the above SYSMANAGER

#### Record access procedures:

Information may be obtained from System Manager.

Requesting individuals should provide, name, SSAN, (Service Number if applicable) home address and home telephone number when inquiring about whether the system contains records pertaining to him/her.

For personal visits, the individual should be able to provide some acceptable identification and be in a position to give verbal information that could be verified with the form on file.

#### Contesting record procedures:

The agency's rules for access to records and for contesting contents and appealing initial determination by the individual concerned may be obtained from the SYSMANAGER

#### Record source categories:

Individual's Badge request, personnel forms and investigatory findings.

#### Systems exempted from certain provisions of the act:

NONE

### B0503-02 HTASI

#### System name:

503-02 Security Identification Accountability Files

#### System location:



Security Offices - DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I). - See DMA Directory for complete address.

**Categories of individuals covered by the system:**

Any Civilian employee

**Categories of records in the system:**

File contains the application, supporting materials and the number of the identification badges.

**Authority for maintenance of the system:**

E.O. 11652 - Classification and Declassification of National Security Information and Materials. 3/10/72

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To identify persons to whom badges are issued.

Purpose - Maintain accountability for identification cards.

Users - Supervisor, Personnel and Security Offices

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records kept in file folders by No. also in desk type cabinet.

**Retrievability:**

Filed Alphabetically by name.

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record-Transfer to Records Holding Area after last card or badge number entered has been accounted for. Hold for three years and destroy.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be address to system manager. Written requests for information should contain the full name of the individual, current address and telephone number and the case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card and give some verbal information that could be verified with his 'case' folder.

**Contesting record procedures:**

The agency's rules for contesting contents and appealing initial determinations may be obtained from System Manager

**Record source categories:**

Individual's badge request, personnel forms and investigatory findings.

**Systems exempted from certain provisions of the act:**

NONE

**B0503-03 HTA**

**System name:**

503-03 Firearms Authorization Files

**System location:**

DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A). See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Security guards that have been issued firearms and ammunitions

**Categories of records in the system:**

Documents authorizing DMA civilian guards to carry firearms. Included are firearms authorization cards and related papers.

**Authority for maintenance of the system:** 50 U.S.C. 61; Arms and Ammunition issued to protect public property; reimbursement of Department of Army.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Collateral Security Division-Serves as a record for weapons serial numbers and firearms authorization cards issued to each Security Police.

Available to Federal and State local law enforcing agency as required by current laws and regulations.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary Record, Destroy upon expiration of authorization.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list.

Written requests for information should contain the full name of the individual, current address and telephone number, and social security number. Visits are limited to normal working hours.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Weapon serial number, and authorization of issue authorization card issued.

**Systems exempted from certain provisions of the act:**

NONE

**B0503-04 HQHTASI**

**System name:**

503-04 Parking Permit Control Files

**System location:**

Security Offices of Components - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Individuals who have been issued parking Permits or cited for violations.

**Categories of records in the system:**

Documents relating to the allotment of parking spaces, recording of violations by holders of parking permits.

**Authority for maintenance of the system:**

50 U.S.C. 797; Internal Security - Security Regulations and Orders; Penalty for Violation, and Delegations, Promulgation by President.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Offices - Issue of spaces and recording of violators.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records kept in file folders and desk type pull-out shelves.

**Retrievability:**

Filed by name alphabetically.

**Safeguards:**

Buildings and Facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.



**Retention and disposal:**

Temporary-Record. Destroy on Transfer or separation of parking permit holder, or when permit is superseded or revoked.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4401

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address, and telephone number, and social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, driver's license, employing office's identification card, and give some verbal information that could be verified on employment.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Individuals requests for permits, copies of tickets issued.

**Systems exempted from certain provisions of the act:**

NONE

**B0503-05 HQHTASI****System name:**

503-05 Vehicle Registration and Driver Record File

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I). - See DMA Directory for complete address.

**Categories of individuals covered by the system:**

Any person privileged to operate a motor vehicle on a military installation and who has been involved in a chargeable traffic accident or whose commission of a moving traffic violation has been verified.

**Categories of records in the system:**

File contains a record of issuance of decal and of all traffic offenses/ incidents and actions.

**Authority for maintenance of the system:** 50 U.S.C. 797; Internal Security - Security Regulations and Orders; Penalty for Violation.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Office, to record all traffic offenses/incidents and action taken. State and Local Law Enforcement Agency for vehicle identifications.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

8"x5" paper cards in card file cabinet

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:** Destroy one year after revocation or expiration.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address

and telephone number and social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification and also some information that would verify his need to know.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Report of traffic violation from Security police.

**Systems exempted from certain provisions of the act:**

NONE

**B0503-07 HTA****System name:**

503-07 Traffic Law Enforcement Files

**System location:**

Security Office - DMA Hydrographic/Topographic Center (HT), and DMA Aerospace Center (A) - See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

All DMA personnel who have committed traffic violations on DoD installations.

**Categories of records in the system:**

Armed Forces traffic tickets and related correspondence.

**Authority for maintenance of the system:**

50 U.S.C. 797; Internal Security - Security Regulations and Orders; Penalty for Violation

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Office - for issue and filing ticket. Traffic violation correspondence and Armed Forces Traffic Tickets.

Supervisory - for advisory procedures

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary/Record - Destroy after 1 year.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Armed Forces Traffic Tickets issued by guard force personnel.

**Systems exempted from certain provisions of the act:**

NONE

**B0503-09 HQHTASI****System name:**

503-09 Key Accountability Files



**System location:**

Security Office, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I). - See DMA Directory for complete address.

**Categories of individuals covered by the system:**

Individuals with keys to a secure area.

**Categories of records in the system:**

Documentation relating to the issue, return and accountability for keys to secure areas.

**Authority for maintenance of the system:**

E.O. 11652 - Classification and Declassification of National Security Information and Material. 3/10/72

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Security Police - Periodic Inspections, reissuance of keys after locks have been changed.

Personnel - Reference checks on individuals with keys to secure areas.

Supervisors - Reference checks and daily use for information purposes.

OSD and DIA - Investigation of loss or destruction of secure area.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper Records in file folders

**Retrievability:**

Filed Alphabetically by name

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record - Transfer to holding area, hold three (3) years then destroy.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination s may be obtained from System Manager.

**Record source categories:**

Individual's key requests, personnel forms and investigatory findings.

**Systems exempted from certain provisions of the act:**

NONE

**B0504-01 HQHTA****System name:**

504-01 Personnel Security Files

**System location:**

Special Security/Activities Division - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address

**Categories of individuals covered by the system: ES**

DMA Military or civilian employees who have been assigned to positions that require access to Sensitive Compartmented Information (SCI).

**Categories of records in the system:**

Files consist of Special Security Office (SSO) security indoctrination and termination oaths; clearance and access certification messages; SSO security violation investigative reports if applicable.

**Authority for maintenance of the system:**

E.O. 11652 Classification and Declassification of NS Information and Material 3/10/72

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To provide central file repository for all SSO security forms pertaining to the individual.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders

**Retrievability:**

Filed alphabetically by last name of file subject.

**Safeguards:**

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Retained in active file during period subject is assigned to or employed by DMA, retained in inactive file for one year following reassignment or termination of employment, then destroyed.

**System manager(s) and address:**

See Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information obtained from such sources as review of birth records; education records; credit and former employment records; interviews of named and developed references; check of local police and FBI files & check of subversive files.

**Systems exempted from certain provisions of the act:**

Parts of this system may be exempt under 5 U.S.C. 522a (j) or (k), as applicable. For additional information, contact the Systems Manager.

**B0504-01-2 HQHTASI****System name:**

504-01 Personnel Security Files

**System location:**

Primary System - Security Office, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address.

Decentralized Segments - Cross reference index cards (i.e., Badge Requests Cards, Identification Cards, Guard Desk Rolodex Identification Cards) with extracts of information contained in primary files are maintained on file in Security Office of each DMA element.

**Categories of individuals covered by the system:**

Those military, civilian, and industrial personnel who are assigned to, employed by DMA; whose official duties, responsibilities and/or contracts require that they have access to classified defense information which has been entrusted to or is under the Defense Mapping Agency.

**Categories of records in the system:**

File Contains individual's certificate of clearance indicating level of access individual is cleared for, date clearance was issued, type of.



investigation conducted, date investigation was completed and identification of agency that conducted the investigation. Additionally, contained in the file are: copy of Statement of Personal History (DD Form 398), individual's certification that he/she has read and understands both the Department of Defense and Agency security directives and instructions regarding the protection of classified defense information; individual certification that he/she understands responsibilities for protection of North Atlantic Treaty Organization (NATO), Central Treaty Organization (CENTO), material to a lesser extent some files will contain individuals certification that he/she has been briefed for access to NATO Top Secret (COSMIC); NATO Top Secret Restricted Data (ATOMAL); Top Secret CENTO; Single Integrated Operational Plan (SIOP); Extremely Sensitive Information (ESI); Atomic Energy Commission, Restricted Data (RD); and Atomic Energy Commission, Critical Nuclear Weapons Design Information (CNWDI).

#### Authority for maintenance of the system:

Section 6, Section 7, (B) (3); and Section 12 of Executive Order 11652; Classification and Declassification of National Security Information and Material - 3/10/72

#### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

DMA SO - This information is maintained as a means to insure that each and every individual assigned to, employed by or contracting with the HQ DMA has been cleared for the level of access to classified information that is necessary for accomplishment of his official duties. These records further insure that each individual is made aware of his responsibilities regarding the protection and safe guarding of any classified information entrusted to him.

Other Governmental Agencies - Information regarding any individual's clearance and level of access. This enables DMA personnel to conduct official business requiring security clearance, with other governmental agencies.

#### Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

##### Storage:

Paper records in file folders

##### Retrievability:

Alphabetically by name of individual

##### Safeguards:

Buildings are located on guarded government installation with security guards and alarms. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

##### Retention and disposal:

Records are maintained in an active status only for the period of time that the individual is actually assigned to, employed by or contracting with DMA. When the individual terminates his association with DMA, the records are maintained in an inactive status for the period of one year and then destroyed.

##### System manager(s) and address:

SDense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

##### Notification procedure:

Information may be obtained from above.

##### Record access procedures:

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

##### Contesting record procedures:

The agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

##### Record source categories:

Individual's certificate of clearance originates in HQ DMA Special Security Office (SSO) based on notification of personnel investigation by either the Civil Service Commission or the Defense Investigative Agency. Certification of clearance for military personnel will be certified by the individuals' parent service. Much of the routine information in these records such as name, date and place of birth,

etc., is obtained during the individual's initial processing which is usually accomplished on his first duty day. Other information such as type of investigation, date of investigation, etc., is obtained from such investigating agencies as the Civil Service Commission (CSC), Defense Investigative Service (DIS), etc. The records are updated as new information is received regarding the individual's clearance and access.

#### Systems exempted from certain provisions of the act:

NONE

B0504-01-3 HQHTA

#### System name:

504-01 Personnel Security Investigative Files

#### System location:

Primary System - Security Offices, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address.

#### Categories of individuals covered by the system:

Those military and civilian personnel who are assigned to or employed by the Defense Mapping Agency and whose duties require access to classified defense information and who have therefore been investigated under the provisions of Department of Defense regulations.

#### Categories of records in the system:

Files consist of two parts, one part subject two exemption of 552a(K)(5) from review one part available for review. Part (1) Exempted consists of National Agency Checks with Written Inquiries (NACI); Background Investigations (BI) Special Background Investigations (SBI); Bring-up Investigations (BU). Part (2) Available for review consists of National Agency Checks (NAC).

#### Authority for maintenance of the system:

E.O. 11652 - Classification and Declassification of National Security Information and Material - 3/10/72.

#### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Defense Mapping Agency - to determine eligibility for access to classified defense information and to conduct continuing Security Program

Defense Intelligence Agency - to determine eligibility for access to Sensitive Compartmented Information, applicable to Special Security Office access.

#### Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

##### Storage:

Paper records in file folders.

##### Retrievability:

Filed alphabetically by last name of file subject.

##### Safeguards:

Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

##### Retention and disposal:

Retained in active file during period subject is assigned to or employed by DMA, retained in inactive file for one year following termination of subject's assignment or employment, then destroyed.

##### System manager(s) and address:

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

##### Notification procedure:

Information may be obtained from above.

##### Record access procedures:

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

##### Contesting record procedures:

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.



**Record source categories:**

Investigations are originated based on applicant's application for employment. Source of information are inquiries of birth, education, local police, federal police agency files, credit, neighborhood, personal references, etc.

**Systems exempted from certain provisions of the act:**

Parts of this system may be exempt under 5 U.S.C. 522a (j) or (k), as applicable. For additional information, contact the Systems Manager.

**B0504-02 HQHTASI****System name:**

504-02 Security Briefing and Debriefing Files

**System location:**

Primary System - Central RS COSMIC Register Room 1B889, Pentagon, Washington, D.C. 20310

Decentralized Segments - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I) - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Personnel briefed and debriefed on security matters

**Categories of records in the system:**

Documents relating to security briefing and debriefing of personnel authorized access to classified material. Included are briefing statements, debriefing statements and certificates, and related papers.

**Authority for maintenance of the system:**

E.O. 11652 - 'Classification and Declassification of National Security Information and Material' 3/10/72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Debriefing personnel upon termination of employment.

IPO Officer/TS Control Officer - use to certifying employee access of current security regulations.

Central US Cosmic Register - maintain as in information record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary Record - Destroy one year

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Form generated by employee

**Systems exempted from certain provisions of the act:**

NONE

**B0504-02-2 HQHTA****System name:****504-02 Special Security Briefing and Debriefing Files**

**System location:** Primary System - Defense Intelligence Agency, Special Security Office, Room 1A884, Pentagon, Washington, D.C. 20310

Decentralized Segments - Security Office, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Personnel briefed and debriefed on Special Security Matters

**Categories of records in the system:**

Documents relating to special security briefing and debriefing of personnel authorized access to special classified material. Included are briefing and debriefing statements, debriefing statements and certificates, and related papers.

**Authority for maintenance of the system:**

E.O. 11652 - Classification and Declassification of National Security Information and Material; 3/10/72

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Security Office - To verify individual employee compliance with current Special Security requirement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders, in safe and vault.

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary Record - Destroy one year after termination of access to information.

**System manager(s) and address:**

DIA Special Security Office, Room 1A884, Pentagon, Washington, D.C. 20310

**Notification procedure:**

Information may be obtained from Defense Mapping Agency, ATTN: Security Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4411

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from DMA Security Officer

**Record source categories:**

Individuals authorized to have access to special classified material

**Systems exempted from certain provisions of the act:**

Parts of this system may be exempt under 5 U.S.C. 522a (j) or (k), as applicable. For additional information, contact the Systems Manager.

NONE

**B0601-01 HQHTASI****System name:**

601-01 Civilian Personnel Program Reporting Files (Master File Printout)

**System location:**

Personnel Offices. See DMA Directory for Complete Address Listing

**Categories of individuals covered by the system:**

Any individual employed by the Agency.

**Categories of records in the system:**



File contains Name, Social Security Number, Date of Birth, Sex, Service Computation Date, Location, Job Title, Grade, Series, Step, Salary, Life Insurance, Health Benefits, Organization Code, Nature and Date of Last Action Taken, Veteran's Preference, Retirement Deductions, Type of Appointment, Master Tapes, etc.

**Authority for maintenance of the system:**

Executive Order 10561. Designating Official Personnel Folders in Government Agencies as Records of the CSC and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer Thereof; 9/15/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To provide consolidated source of pertinent information on employees for internal requests for information and internal reports. Provides records of information transmitted to Civil Service Commission Central Personnel Data File. Available to Civil Service Commission

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Computer Printout paper

**Retrievability:**

By organization, grade level, alpha by name

**Safeguards:**

Buildings/facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary. Destroy after six months.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Digest of Information from existing Personnel Files.

**Systems exempted from certain provisions of the act:**

NONE

**B0601-01-2 HTA**

**System name:**

601-01 Civilian Personnel Program Reporting Files (Employee Retirement Record)

**System location:**

Primary System - Personnel Office, See DMA Directory for complete address listing

Decentralized Segments - Department of Computer Services

**Categories of individuals covered by the system:**

Any individual employed by DMA Hydrographic/Topographic Center who is qualified for retirement

**Categories of records in the system:**

Contains names of employees eligible for optional retirement within next five years. Contains name, job title, earliest retirement date, Date of Birth, Service Computation Date, Pay Plan, Grade, Step, Series, Organization Code.

**Authority for maintenance of the system:**

Executive Order 10561

Designating Official Personnel Folders in Government Agencies as Records of the CSC and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer Thereof; 9/15/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Supervisory management planning purposes and personal benefit of individuals concerned- Available to Civil Service Commission.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Computer printout and tape

**Retrievability:**

By organization, alpha by last name

**Safeguards:**

Building facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Printout

Temporary - Destroy after five years

Tape - updated periodically

**System manager(s) and address:**

DMA Hydrographic/Topographic Center, ATTN: Personnel Office, Room 170, Erskine Hall, 6500 Brookes Lane, Washington, D.C. 20315, TELEPHONE: Area Code 202/227-2116

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Personnel Master File computer tape in Department of Computer Services

**Systems exempted from certain provisions of the act:**

NONE

**B0601-03 HQHTASI**

**System name:**

601-03 Advanced Personnel Data System - Civilian (APDS-C)

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Current and former DMA civilian employees.

**Categories of records in the system:**

Civilian employment information including authorization for position, personnel data, suspense information; position control information; projected information and historical information; civilian education and training data; performance appraisal, ratings, evaluation of potential; civilian historical files covering job experience, training and transactions; civilian awards information, merit promotion plan work files; career programs files for such functional areas as procurement, logistics, civilian personnel, etc., civilian separation and retirement data for reports and to determine eligibility; adverse and disciplinary data for statistical analysis and employee assistance; stand-alone file, as for complaints, enrollee programs; extract files from which to produce statistical reports in hard copy, or for immediate access display on remote computer terminals; miscellaneous files.

**Authority for maintenance of the system:**

5U.S. Code 301 and 44 U.S. Code 3101.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**



To provide automated system support to DMA officials at all levels from that part of the Civil Service Commission required personnel management and records keeping system that pertains to evaluation, authorization and position control, position management, staffing skills inventory, career management, training, retirement, employee services, rights and benefits, merit promotions, demotions, reductions in force, complaints resolution, labor management relations, and the suspending and processing of personnel actions; to provide for transmission of such records between employing activities within the Defense Mapping Agency; to provide reports to the Civil Service Commission; to provide reports of military reserve status to other armed services for contingency planning; to obtain statistical data on the work force to fulfill internal and external report requirements and to provide DMA offices with information needed to plan for and evaluate manpower, budget and civilian personnel programs, to provide minority group designator codes to the U.S. Civil Service Commission's automated data file, to provide the Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs, with data to assess the effectiveness of the program for employment of women in executive level positions; to provide data to DMA officials to facilitate the assessment of the DMA Affirmative Action Plan for minorities and women; to obtain listings of employees by function or area for locator and inventory purposes; disclosed to officials of labor organizations recognized under Executive Order 11491, as amended, when relevant and necessary to their duties of exclusive representation concerning personnel policies and practices and matters affecting working conditions.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Maintained in visible file binders/cabinets, card files, computer magnetic tapes, disks or drums, computer paper printouts, microfiche.

**Retrievability:**

Filed by name, Social Security Account Number (SSAN), other identification number or system identifier. The primary individual record identifier in APDS-C is SSAN. There is the added capability of selecting an individual's record or certain preformatted information by SSAN on an immediate basis using a teletype or cathode ray tube display device.

**Safeguards:**

Records are accessed by custodian(s) of the record system. Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in security file containers/cabinets. Records are stored in safes. Records are stored in vaults. Records are stored in locked cabinets or rooms. Records are protected by guards. Records are controlled by computer system software.

**Retention and disposal:**

Analog output products are retained in office files until superseded, obsolete, no longer needed for reference, or inactivated. They are then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Data stored digitally within system is retained only for the period required to satisfy recurring processing requirements and/or historical requirements. The Notification of Personnel Action, Standard Form 50, is disposed of as directed by the Civil Service Commission, work files and records such as the employee career brief, position survey work sheet, retention register work sheet, alphabetic and social security account number locator files, and personnel and position control register are destroyed after use by tearing into pieces, shredding, macerating, or burning work sheets pertaining to qualification and retention registers are disposed of as directed by the Civil Service Commission; transitory files such as pending files, and recovery files are destroyed after use by degaussing files and records retrieved through general retrieval systems are destroyed after use by tearing into pieces, shredding, pulping, macerating, or burning. The separated employee file retains employee information at time of separation for five years after which the employee's record is destroyed by degaussing.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to above.

Written requests for information should contain the full name of the individual, Social Security Number, current address and telephone number.

For personal visits, the individual should be able to furnish personal identification containing his/her full name, Social Security Number, physical description, photograph and signature.

**Contesting record procedures:**

The Agency rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Digest of information from existing Personnel Files and management/employee source documents.

**Systems exempted from certain provisions of the act:**

NONE

**B0602-03 HQHTASI**

**System name:**

602-03 Organization File

**System location:**

Personnel Offices - See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

Military and civilian personnel assignment to HQ DMA

**Categories of records in the system:**

Roster of people assigned to DMA by name - job number, JTD Position series-grade-organization

**Authority for maintenance of the system:**

5 U.S.C. 3101 - 'Authority for Employment'

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Matching people with job numbers and JTD numbers for ceiling purposes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in File Folders

**Retrievability:**

Chronological date

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Destroy when superseded or obsolete.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from: System Manager

**Record source categories:**

Personnel action recorded for supervisory records.

**Systems exempted from certain provisions of the act:**

NONE

**B0604-03 HQHTASI**

**System name:**

604-03 Active Application Files (Applicant Supply Files)



**System location:**

Primary System - DMA Personnel Offices. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Individual job applicants

**Categories of records in the system:**

File contains rated applications for positions of Clerk-Typists or Clerk-Steno, test results

**Authority for maintenance of the system:**

5 U.S.C. Section 3301; Examination, certification and Appointment - Civil Service; Generally

Executive Order 10577 - Amending the Civil Service Rules and Authorizing a New Appointment System for the Competitive Service; 11/23/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used by Personnel Office to fill position vacancies for Clerk-Typist and Clerk-Steno positions up to GS-4 level, exchange with other organizations, such as NIH, subject to periodical inspection by Civil Service Commission

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper record in file folders and file cabinets

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary. Destroy after two years

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Applications and tests completed by job applicants

**Systems exempted from certain provisions of the act:**

NONE

**B0604-04 HTA****System name:**

604-04 Pending Application Files

**System location:**

Civilian Personnel Offices - DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A) See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All civilian personnel concerned.

**Categories of records in the system:**

Record of personnel applying for positions with DMA whose application is pending due to lack of qualifications, declining or not available for appointment. Applicants for whom there are adequate Civil Service registers.

**Authority for maintenance of the system:****21 USC 1175**

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used to document individual's consideration for appointment.

Personnel Office, concerned employees, employee representatives, and authorized inspectors of Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders.

**Retrievability:**

Filed alphabetically by employee last name.

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary record. Destroy in CFA after 2 years or on receipt of CSC inspection report.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Request from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, and social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification; that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Applications from individuals concerned—qualification statements.

**Systems exempted from certain provisions of the act:**

NONE

**B0605-01 HQHTASI****System name:**

605-01 Equal Employment Opportunity Reporting Files

**System location:**

Primary System - Staff Offices, Department, Division and Branch Offices, All Components. See DMA Directory for complete address listing.

Decentralized Segment - Components and organizations of DMA

**Categories of individuals covered by the system:**

All civilian employees of DMA and Components

**Categories of records in the system:**

Social security number, statistical by organization/minority designation

**Authority for maintenance of the system:**

Executive Order 11478, 8/8/64; Equal Employment Opportunity in the Federal Government.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used by the Equal Employment Opportunity Office only to identify minorities and for statistical purposes. Can be subject to submission to CSC for inspection or central EEO office - counselors investigators have access to files.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Computer magnetic tapes, vertical file cards and computer paper printouts.

**Retrievability:**

Social Security Number



**Safeguards:**

Information available only to Equal Employment Opportunity Office. Information kept in locked cabinets.

**Retention and disposal:**

Destroy after five years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Existing Personnel Records

**Systems exempted from certain provisions of the act:**

NONE

**B0605-03 HQHTASI****System name:**

605-03 Equal Employment Opportunity Complaint Case Files

**System location:**

DMA and Component organizational EEO Office see DMA Directory for complete Address Listing

**Categories of individuals covered by the system:**

Any employee who files a complaint of discrimination

**Categories of records in the system:**

All documents pertaining to specific complaints of discrimination.

**Authority for maintenance of the system:**

Executive Order 11478, 8/8/69; Equal Employment Opportunity in the Federal Government.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

EEO Office - to process complaints; counselors have access;

Personnel Office - to concur or non-concur with proposed disposition

Office of Counsel - formal investigation; Complainant's designated Representative

HQ DMA - to concur or non-concur with proposed decision

Civil Service Commission - appeal from initial agency decision; Department of Justice in event of litigation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in folders in barred containers

**Retrievability:**

By name of complainant

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Components - maintained until final decision

Temporary Record - destroyed after five years

HQ DMA - permanent

System manager(s) and address: Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Complaints, transmittal letters, investigative data and summaries, hearing transcripts, finding of fact statements, final disposition reports, acceptance statements, withdrawal notices, and similar or related documents.

**Systems exempted from certain provisions of the act:**

NONE

**B0606-01 HQHTASI****System name:**

606-01 Official Personnel Folder Files

**System location:**

Primary System - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I) - See DMA Directory for complete address listing.

Decentralized Segments - National Personnel Records Center, St. Louis, MO

**Categories of individuals covered by the system:**

All civilian employees

Indebtedness - Allegations of indebtedness made by creditors to Personnel Office requesting help

**Categories of records in the system:**

File contain documentation of all official personnel action taken on an employee regarding Federal service including verification of military service.

Indebtedness - copies of court judgements, responses to claim and counseling records

**Authority for maintenance of the system:**

Executive Order 10561 9/15/54 Designating Government Agencies as Records of the Civil Service Commission and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer thereof.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Personnel Office - serves as the official personnel record of an employee's Federal Service

Supervisory - Merit Promotion Plan

National Personnel Records Center, St. Louis, MO - to give information to individuals concerned after retirement or separation from government service.

Any regulatory authority such as Civil Service Commission

Indebtedness - counseling, possible use in court proceedings, supervisors and personnel for disciplinary actions

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders

**Retrievability:**

Alphabetically by last name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary Record - retained in active file until employee separates. Upon separation from Federal Service, file sent to National Personnel Records Center. Upon transfer to another Agency, file is sent to Agency's personnel office. Destroyed at NPRC after 75 years after date of birth.

Indebtedness - destroyed upon separation of individual.



**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56,  
U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE:  
Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager.  
Requests from individuals should be addressed to the appropriate  
organization as indicated in address list. Written requests for information  
should contain the full name of the individual, current address  
and telephone number and social security number. Visits are limited  
to normal working hours. For personal visits the individual should be  
able to provide some acceptable identification, that is, drivers license,  
employing office's identification card, and give some verbal information  
that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial  
determination may be obtained from System Manager

**Record source categories:**

Personnel forms completed by employee and Personnel Office regarding  
Federal employment.

Personnel Office - notification of personnel action, pay changes,  
change of address, change of health benefits and life insurance, letters  
of reprimand, verification of military service, educational transcripts.  
Documents generated by Civil Service Commission such as test  
scores, notices of ratings.

Indebtedness - official court judgements or court orders. Employees  
responses and creditors requests for help.

**Systems exempted from certain provisions of the act:**

NONE

**B0606-02 HQHTASI****System name:**

606-02 Employee Service Record File

**System location:**

Primary System - Personnel Office and each organizational field  
activity

Decentralized Segments - Records Holding Area, Records Management  
Division (For HT files only) - See DMA Directory for  
complete address

**Categories of individuals covered by the system:**

Any individual employed by HQ, HT, A, I

**Categories of records in the system:**

Card contains a summary of all personnel actions on SF-50's or  
pay change actions during employment of the individual concerned.

Log and disposition contains name, social security number, date of  
birth, when and where official Personnel Folder was sent from Personnel  
Office

**Authority for maintenance of the system:**

Executive Order 10561, 'Designating Official Personnel Folders in  
Government Agencies as Records of the Civil Service Commission  
and Prescribing Regulations Relating to the Establishment, Maintenance,  
and Transfer Thereof; 9/15/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Personnel - Card index control of personnel actions on employees  
and organizational control, updated

Supervisory - Statistical Purposes

Log - used by Personnel to verify employee

Records Holding Area, Records Management Division - to furnish  
certain information (Permanent or Temporary; Salary; How long  
employed; Date of birth) to other Government agencies, commercial  
or credit organizations, verification of employment, reasons for leaving,  
birth date, date of employment, information to be given to FBI,  
Civil Service Commission on dates of employment.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Card (SF 7) and Log Book

**Retrievability:**

Card by organization, grade level, alphabetically by name. Log -  
by date

**Safeguards:**

Building/facility employs security guards. Records are maintained  
in areas accessible only to authorized personnel that are properly  
screened, cleared, and trained.

**Retention and disposal:**

Temporary Record. Card (SF 7) - COFF inactive files every five  
years. Transfer to Records Holding Area five years after cut off.  
Destroy in Records Holding Area after ten years. Log - retained in  
Personnel, destroyed after 15 years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56,  
U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE:  
Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.  
Written requests for information should contain the full name of  
the individuals current address and telephone number, and the Case  
(Control) number that appears with the office symbol, on all correspondence  
received from this office

For personal visits, the individual should be able to provide some  
acceptable identification, that is, drivers license, employing office's  
identification card and give some verbal information that could be  
verified

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial  
determination may be obtained from: System Manager.

**Record source categories:**

Card Entries - Supervisory - SF 52 action, pay actions, performance  
appraisals

Personnel and Civil Service Commission Automatic Pay Actions  
Log - Personnel Clerk entries

**Systems exempted from certain provisions of the act:**

NONE

**B0606-03 HQHTA****System name:**

606-03 Expert and Consultant Data Files

**System location:**

Personnel Offices - See DMA Directory for complete address  
listing.

**Categories of individuals covered by the system:**

Any individual employed as an expert or consultant with DMA

**Categories of records in the system:**

Employment and education history, salary data, statement of duties  
or functions proposed for the expert/consultant.

**Authority for maintenance of the system:**

5 U.S.C. 3101 - Authority for Employment

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

The purpose of collecting the information is to evaluate the merits  
of proposed appointments of consultants/experts and to meet CSC  
requirements to maintain such records.

The information is used to obtain final approval by DMA/DOD  
on proposed appointments of experts/consultants.

Supervisors, Personnel, OSD officials, CSC.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders.

**Retrievability:**

Alphabetically by name.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained  
in areas accessible only to authorized personnel that are properly  
screened, cleared and trained.

**Retention and disposal:**

Temporary. Destroy 2 years after separation of employee.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56,  
U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE:  
Area Code 202/254-4066



**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Personnel actions recorded for supervisory records.

**Systems exempted from certain provisions of the act:**

NONE

**B0606-05 HQHTASI****System name:**

606-05 Adverse Action Files

**System location:**

Personnel Offices DMA. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All civilian employees who have had adverse action taken against them.

**Categories of records in the system:**

Copies of notice of proposed adverse action, the material relied on by the Agency to support the reasons in that notice, any answer made by the employee and the notice of decision.

**Authority for maintenance of the system:**

E.O. 11491 - 'Labor Management Relations in the Federal services' - 10/31/69

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To maintain records on adverse actions for use in employee appeals or grievances and as documentation in further adverse actions against an employee, information from file could be used in appeal cases to Civil Service Commission, can be used by both counsel and union in cases of representation.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

This is a temporary record. Destroy after 10 years unless employee appeals, in which case, transfer to File No. 610-03 (Appeals and Grievances)

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license,

employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:** All documents related to adverse actions, such as removal, suspension, furlough without pay, and reduction in rank or pay for cause other than reduction-in-force. Notices of proposed action, employee's reply, statement of witness, notice of decision, and similar documents.

**Systems exempted from certain provisions of the act:**

NONE

**B0607-01 HQHTASI****System name:**

607-01 Personnel Locator Files (Alpha Listing)

**System location:**

Primary Personnel Offices - See DMA Directory for complete listing.

Decentralized Segments - Computer Services - DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A).

**Categories of individuals covered by the system:**

Any civilian individual employed by DMA

**Categories of records in the system:**

Alphabetical file contains name, job title, job number, social security number, date of birth, service computation date, pay plan, grade, step, series, organization code.

Social Security Listing - Contains social security number and name.

**Authority for maintenance of the system:**

5 U.S.C. 7301 - Regulation of Conduct - Presidential Regulations

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Alpha listing - To locate employees by organization and job title and perform certain internal reports and internal requests for information within the Personnel Office within the Agency.

Social Security Number Listing - To locate an employee when social security number only is known. Used when working with error listings sent by Civil Service Central Personnel Data File.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Computer Printout Paper

**Retrievability:**

Alphabetically by last name

Social Security Number

**Safeguards:**

Building/Facility employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Alphabetical Listing - Temporary - Destroy after 6 months.

Social Security Number Listing

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**



Personnel Master File Computer Tape located in Department of Computer Services  
 Personnel Master File - Tab run  
 Systems exempted from certain provisions of the act:  
 NONE

**B0607-03 HQHTASI****System name:**

607-03 Chronological Journal Files

**System location:**

Personnel Offices - DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A). See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any civilian employee of the Agency who has a personnel action pertaining to him.

**Categories of records in the system:**

Contains all personnel actions for which an SF 50, Notification of Personnel Action is required.

**Authority for maintenance of the system:**

E.O. 10561 - 'Designating Official Personnel Folders in Government Agencies as Records of the CSC and Prescribing Regulations Relating to the Establishment, Maintenance and Transfer Thereof' 9/15/54

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Monthly strength reports - Internal, DoD and the Civil Service Commission

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper file of SF 50 in file folders

**Retrievability:**

By date, organization, alphabetical by name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary. Destroy after 2 years in current files area

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office Building 56, U.S. Naval Observatory, Washington, D.C. 20305 TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Typed from SF 52, Request for Personnel Action from either management or the Personnel Office.

**Systems exempted from certain provisions of the act:**

NONE

**B0608-06 HQHTASI****System name:**

608-06 Civilian Training Reporting Files

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Any civilian employee receiving training in Government and non-government facilities

Civil Service Commission

Supervisory Personnel

Members of Personnel Office

**Categories of records in the system:**

File contains the Central Personnel Data Files Report showing training completed and also the quarterly report of career development executive and management training for minorities and women

**Authority for maintenance of the system:**

Executive Order 11348, - Providing for Further Training of Government Employees; 4/22/67

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Civilian Personnel Office - for reporting training

Civil Service Commission for review

Supervisory Personnel - access to file for review

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders

**Retrievability:**

Appropriate folder by name of individual, social security number and type of training

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Records are destroyed after five years

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from System Manager

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Individuals, interagency - professional institutions

Systems exempted from certain provisions of the act:

NONE

**B0608-07 HTA****System name:**

608-07 Civilian Training Program Files

**System location:**

Primary System - Staff Offices, Department, Division and Branch Offices, All Components. See DMA Directory for complete address  
 Decentralized Segments - Components and organizations of DMA

**Categories of individuals covered by the system:**

Any civilian employee

**Categories of records in the system:**

File contains career plans for certain executives and managements, GS-13 and above, career appraisals - performance evaluations, applications for career appraisal, and assessment of knowledges and abilities for certain managers. The files also contain minutes of executive manpower resources board meetings

**Authority for maintenance of the system:**

Executive Order 11348, Providing for the Further Training of Government Employees; 4/22/67



Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Civilian Personnel Office - for career planning and career appraisals

Supervisory and Civil Service Commission - reviews

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders

**Retrievability:**

Filed within appropriate folder in alphabetical order by name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Records are destroyed after five years or five years after completion of a specific training program

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information and/or transcripts supplied by Federal Institution - requests by supervisor or personnel to initiate action

**Systems exempted from certain provisions of the act:**

NONE

**B0608-08 HQHTASI**

**System name:**

608-08 Training Files

**System location:**

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

Any DMA civilian employee

**Categories of records in the system:**

File contains documents reflecting such items as cumulative record of management training received by each supervisor, space allocations, listing of participants in after duty hours on base courses, and student evaluation of courses. Included also are Nomination for Interagency Training (OF Form 37); Enrollment and Registration Request for DoD Management Education and Training Program Courses (DD Form 1556); Training Attendance and Rating (AF Form 1151); Trainee Date (AF Form 1152); and Record of Training or Certification of Equivalency (AF Form 1514).

**Authority for maintenance of the system:**

Executive Order 11348, 'Providing for the Further Training of Government Employees'

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Civilian Personnel Office - For use in planning, scheduling, approving, documenting, and evaluating training. Also, for statistical information needed in various reports.

Supervisory - For use in personnel administration.

Civil Service Commission - Inspection purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders.

5' x 8' file cards.

**Retrievability:**

Filed alphabetically by name.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Civilian Personnel Office - Records are destroyed after five years.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Civil Service Commission, Academic Institutions, Professional Organizations and Inter-Agency training.

**Systems exempted from certain provisions of the act:**

NONE

**B0608-09 HQHTASI**

**System name:**

608-09 Contract Training Files

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Any civilian employee concerned

**Categories of records in the system:**

File contains documents reflecting contract training of civilian employees in non-government facilities - covering such items as information used in rating applicants for Long-Term Full Time Training (LTFTT), service agreements for LTFTT, employee selection, student evaluation, contracts between Agency and non-government training facilities.

**Authority for maintenance of the system:**

Executive Order 11348, Providing for the Further Training of Government Employees; 4/22/67

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Civilian Personnel Office - For use in planning, scheduling, approving documenting and evaluating training. Also, for statistical information needed in various reports.

Managers - For use in personnel administration.

Academic Institutions - Civil Service Commission

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**



Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary - Record destroyed 3 years after completion of training or upon expiration of obligated service agreement.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Transcripts from previous academic Institutions, Professional Organizations

**Systems exempted from certain provisions of the act:**

NONE

**B0608-10 HQHTASI**

**System name:**

608-10 Record of Training Files

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any individual trainee participating in off-the-job training courses.

**Categories of records in the system:**

Files contain listing of all courses which the Agency sponsors for the individuals' length, dates and cost of each course.

**Authority for maintenance of the system:**

Executive Order 11348 5 U.S.C. Section 4103 and 4118 - Establishment of Training Programs; Training - Regulations

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Civilian Personnel Office - For use in administering training program and documenting record.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders.

Card files

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Records are reviewed annually and the portion pertaining to individuals no longer employed with Agency are destroyed.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Supervisors approval, employee request forms, academic institutions

**Systems exempted from certain provisions of the act:**

NONE

**B0609-01 HQHTASI**

**System name:**

609-01 Referral and Selection Files

**System location:**

Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

All applicants for positions

**Categories of records in the system:**

Contains position vacancy announcements and records of persons applying, their ratings and the persons referred and selected for the vacancy

**Authority for maintenance of the system:**

Executive Order 10577 - Amending the Civil Service Rules and Authorizing a New Appointment System for Competitive Service; 11/23/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To maintain a record of employees selected under the Civilian Personnel Office, Promotion Panel, EEO, Personnel, CSC

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Envelopes in file cabinets

**Retrievability:** By vacancy announcement number

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary - destroy after two years

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personnel visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information is provided by employee, their supervisor, and the selecting official

**Systems exempted from certain provisions of the act:**

NONE



**B0609-05 A****System name:**

609-05 Occupational Inventory Files

**System location:**

Primary System - Office of Civilian Personnel (POP), DMAAC, 8900 South Broadway, St. Louis, MO 63125.  
 Decentralized Segments - All Directorates, Staff Agencies and Departments of DMAAC, St. Louis, MO.

**Categories of individuals covered by the system:**

Employee concerned, supervisor and Personnel Office

**Categories of records in the system:**

Record contains information on qualifications, availability, appraisals, and other data on persons registered in specific career fields (DMAHTC Fm 1405 POP-5 and 1405 pop-4)

**Authority for maintenance of the system:**

5, E.O. 10577 - Amending the Civil Service Rules and Authorizing a new Appointment System for Competitive Services, 11/23/54

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Information is utilized to provide numerical appraisal of employee's current performance.

Category of users are civilian employees, supervisors and Personnel Office.

Specific use, the user utilizes the information to provide numerical appraisal of employee's current performance and potentials for middle and high level managerial and executive positions, and potential for general schedule nonsupervisory positions.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders.

**Retrievability:**

Filed alphabetically by last name according to position level.

**Safeguards:**

Facility employs security guards on a continuous basis. Records are maintained in area accessible only to authorized personnel. Records are stored in locked file cabinets.

**Retention and disposal:**

Primary System - Forms are maintained and retained in current files area (CFA). Forms are destroyed 2 years after individual is no longer eligible for consideration.

**System manager(s) and address:**

Office of Civilian Personnel (POP), DMAAC, 8900 South Broadway, St. Louis, MO 63125 TELEPHONE: Area Code 304/268-8334

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Request should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address, telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for access to records and for containing contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

**Record source categories:**

Employee, Supervisor, Personnel Office, DMAAC Fm 1405 POP-5 and 1405 POP-4

**Systems exempted from certain provisions of the act:**

NONE

**B0609-07 HQHTAI****System name:**

609-07 Individual Overseas Employment Referral Files

**System location:**

Personnel Offices - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Any individual registered in the Overseas Employment Referral Program

**Categories of records in the system:**

File contains documents on employees registered in Overseas Employment Referral Program. Includes application, name, skills, grade levels, locations, for which registered, offers received and action taken, correspondence with registrant, date dropped from system and reasons.

**Authority for maintenance of the system:**

5 U.S.C. 3101 - Authority for Employment

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Place employees in automated Overseas Employment Program

Any agency employing personnel overseas

Supervisors

Personnel Office

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders

**Retrievability:**

Alphabetically by last name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Temporary - Destroy 2 years after individual is dropped from system.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Form completed by employee with advice of personnel representatives.

**Systems exempted from certain provisions of the act:**

NONE

**B0610-01 HQHTASI****System name:**

610-01 Hours of Work Files

**System location:**

Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Employees who request change in hours of work.

**Categories of records in the system:**

Contains employees name, reason for desiring change in work hours, decisions to approve or disapprove.

Supervisors, Personnel Office, Office of Comptroller

**Authority for maintenance of the system:**

5 U.S.C. 7301 - Regulation of Conduct - Presidential Regulations



Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used to show changes in hours of work of individuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Alphabetically by name

Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

Retention and disposal:

Destroy one year after no longer effective

System manager(s) and address:

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

Notification procedure:

Information may be obtained from above.

Record access procedures:

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual, current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

Record source categories:

Individuals originating request review of approval or disapproval by supervisor.

Systems exempted from certain provisions of the act:

NONE

#### B0610-03 HQHTASI

System name:

610-03 Appeals Files

System location:

DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Inter American Geodetic Survey (I) - See DMA Directory for complete address.

Categories of individuals covered by the system:

All civilian employees who file an appeal to a removal, suspension for more than 30 days, furlough and reduction in rank or pay.

Categories of records in the system:

File contain copies of; notice of proposed action, supporting evidence, employee reply, notice of decision, record of when a hearing is held

Authority for maintenance of the system:

Executive Order 11787 - Revoking Executive Order No. 10987, Relating to Agency Systems for Appeals from Adverse Actions 5 USC 7512, 7701

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Maintained for use in appeal proceedings.

Personnel Office

Employee Representative

Supervisors

Hearing Officer

Civil Service Commission

Equal Employment Opportunity

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and magnetic tapes

Retrievability:

Filed alphabetically by last name of employee.

Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

Retention and disposal:

Destroy in current files area after seven years unless appeal is still pending.

System manager(s) and address:

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

Notification procedure:

Information may be obtained from above.

Record access procedures:

Requests from individuals should be addressed to system manager.

Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

Record source categories:

Supervisors, employee, witnesses.

Systems exempted from certain provisions of the act:

NONE

#### B0610-03-2 HQHTASI

System name:

610-03 Grievance Files

System location:

Civilian Personnel Offices - See DMA Directory for complete address

Categories of individuals covered by the system:

All civilian employees who have filed a grievance.

Categories of records in the system:

File contains correspondence relative to grievance, investigation report, decision by management at various steps of procedure, supporting evidence. Hearing record, Examiners Report, Grievance decision.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, 3302

Executive Order 11491 as amended

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To evaluate the merits of employee grievances and to make decisions on grievances

Personnel Office, Employee Representative, Supervisors Grievance Examiner, Civil Service Commission, Equal Employment Opportunity Officer, Local Union Officials

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper Records in file folder - magnetic tape recording when a hearing is held

Retrievability:

Filed alphabetically by last name of employee.

Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

Retention and disposal:

Temporary Record - destroy after seven years unless appeals are pending

System manager(s) and address:



Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Supervisors, employee, witnesses and grievance examiners

**Systems exempted from certain provisions of the act:**

NONE

**B0611-01 HTAI**

**System name:**

611-01 Reduction in Force Card Files

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

All civilian employees at Agency

**Categories of records in the system:**

File contains reduction-in-force data; including name of employee, date, position, grade, last performance rating, competitive level code and similar information

**Authority for maintenance of the system:**

5 USC 3502; Order of Retention

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To construct retention register in event of reduction in force Employees, Union Officials, Personnel, Supervisors

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper cards in card boxes

**Retrievability:**

Alphabetically by job title, competitive level code, name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary - destroy upon separation of employee or upon updating

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Official Personnel Folder and SF 7, Service Record Card

**Systems exempted from certain provisions of the act:**

NONE

**B0611-03 HTAI**

**System name:**

611-03 Retention Register Files

**System location:**

Personnel Offices - See DMA Directory for complete address Listing.

**Categories of individuals covered by the system:**

All civilian employees at Agency

**Categories of records in the system:**

File contains retention groups of employees according to tenure, length of service, performance ratings and veterans preference

Authority for maintenance of the system: 5 USC 3502; order of Retention

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To determine ranking of employees in the event of reduction-in-force

Employees, Union officials, Personnel, Supervisors

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders

**Retrievability:**

By competitive level code - individual name

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary - destroy after two years unless appeals are pending

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager

**Record source categories:**

Reduction-in-Force Card Files - Official Personnel Folder - Service Record Card (SF 7)

**Systems exempted from certain provisions of the act:**

NONE

**B0612-01 HQHTASI**

**System name:**

612-01 Basic Labor Relations Files

**System location:**

Personnel Offices - See DMA Directory for complete address listing

**Categories of individuals covered by the system:**

Civilian Employees who file grievances under negotiated grievance procedure.



**Categories of records in the system:**

File contains correspondence relative to grievance, decisions by supervisors at various steps of procedure and report of arbitrator when arbitration is requested.

**Authority for maintenance of the system:**

E.O. 11491 as amended. - Labor Management Relations in the Federal Service; 10/31/69

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

To resolve labor management disputes  
Supervisors, Personnel Office, Union representatives, arbitrator, Federal Labor Relations Counsel, DoD.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper Records in file folders

**Retrievability:**

Alphabetically by name

**Safeguards:**

Buildings or facility employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record. Destroyed after 7 years unless appeals are pending.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Supervisor, Labor Organizations, Employee, Arbitrator, Witnesses.

**Systems exempted from certain provisions of the act:**

NONE

**B0613-05 HQHTASI****System name:**

613-05 Incentive Awards

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address

**Categories of individuals covered by the system:**

All civilian employees who have submitted a beneficial suggestion. Civilian employees who have been recommended for an award.

**Categories of records in the system:**

Documents related to submitting, evaluating, and approving or disapproving each award; includes suggestion and performance awards

**Authority for maintenance of the system:**

5 U.S.C. Section 4502, 4503, 4504 and 4506; Incentive Awards

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used as a basis for awarding employees  
Suggestions - save money, increase efficiency, improve morale  
Statistical Reports containing number of awards, amount of money saved

Employees (originate), Supervisors or official who evaluate suggestions, Incentive Awards Boards, Personnel Office, Civil Service Commission

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders

**Retrievability:**

Filed by Fiscal Year. Suggestion - sequential numerical code  
Performance Awards - individuals name, alphabetical

**Safeguards:**

Stored in locked file cabinet

**Retention and disposal:**

Temporary Record - destroy two years after final action

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Suggestions received from employees, Suggestion Evaluations and Performance awards received from supervisors.

**Systems exempted from certain provisions of the act:**

NONE

**B0614-01 HT****System name:**

614-01 Official Records (Military) Files and Extracts

**System location:**

Military Personnel Office, DMAHTC - See DMA Directory for complete address.

**Categories of individuals covered by the system:**

Military Personnel assigned to DMA

**Categories of records in the system:**

Navy-Documents as required by Bureau of Naval Personnel Manual (BUPERSMAN) NAVPERS 15791.B.

Army-Documents as required by Army Regulation 640.10

Enlisted and Officer personnel folders - co

Statement of Military History, Qualification Records.

**Authority for maintenance of the system:**

44 U.S.C. 3101

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Heads of major staff elements to determine the acceptability of an individual nominated by the parent service for a DMA Position. For Review by appropriate DMA Officials responsible for the preparation of efficiency/fitness/effectiveness reports and award recommendations.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper records in file folders

**Retrievability:**

Alphabetically by name of individual

**Safeguards:**



Buildings, facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Permanent Record. Retained until departure of individual DMA, MPRJ handcarried to transfer point by individual upon separation from the service and subsequently retired to National Records Center (Military Records) 9700 Page Boulevard, St. Louis, MO 63132.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual current address and telephone number, service number on all correspondence received from this office. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification cards, and give some verbal information that could be verified.

**Contesting record procedures:**

The Department's rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Information is obtained from the individual's Service Military Personnel Center, the individual's rating official within the DMA and the individual concerned.

**Systems exempted from certain provisions of the act:**

NONE

**B0614-02 HTA**

**System name:**

614-02 Military Services Administrative Record Files

**System location:**

Directorate of Administration, DMAAC; Military Personnel Division, DMAHTC. See DMA Directory for complete mailing address.

**Categories of individuals covered by the system:**

Military Personnel assigned to DMA Hydrographic/Topographic Center and DMA Aerospace Center.

**Categories of records in the system:**

File contains letters, memorandums, emergency data, and assignment actions.

**Authority for maintenance of the system:**

21 USC 1175

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

The purpose of collecting the information is to maintain information to act as a liaison between individual, DMA, and Servicing CBPO's.

User of the collected information is the Commander, Military Personnel Division, and the individual.

User utilizes the collected information to have available information when needed on assigned military personnel.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders.

**Retrievability:**

Filed alphabetically by employee last name.

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Destroy in accordance with parent service directives.

**System manager(s) and address:**

Director of Civilian Personnel (POX). See DMA Directory

**Notification procedure:**

Information may be obtained from System Manager

**Record access procedures:**

Requests from individuals should be addressed to System Manager.

Written requests for information should contain the full name of the individual, current address and telephone number, and social security number. Visits are limited to normal working hours.

For personal visits, the individual should be able to provide some acceptable identification; that is, driver's license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

**Record source categories:**

Leave records, finance documents, transmittals, personnel rosters, physical examinations, personnel actions, locator cards, trip reports, copies of orders/reassignments.

**Systems exempted from certain provisions of the act:**

NONE

**B0615-02 HQHTASI**

**System name:**

615-02 Federal, State and Professional Safety Councils and Committees Files

**System location:**

Safety Offices - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), Inter American Geodetic Survey (I). See DMA Directory for complete address

**Categories of individuals covered by the system:**

Safety Officer, Safety Monitors and Fire Marshalls of DMA

**Categories of records in the system:**

Individuals appointed Safety Officers, Safety Monitors, Fire Marshall and related appointments

**Authority for maintenance of the system:**

Executive ORDER 11807 Occupational Safety and Health Programs for Federal Employees - 9/28/74

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Safety Office - informational records of assignments

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders

**Retrievability:**

Filed alphabetically by last name

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary Record - destroy two years after termination of appointment

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Facilities Engineering Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4477

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.

Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**



The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Safety Council and committee membership and appointed Safety Monitors and Fire Marshalls

**Systems exempted from certain provisions of the act:**

NONE

**B0615-07 HQHTASI**

**System name:**

615-07 Safety Awards Files

**System location:**

Safety Offices of DMA. See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

Any DMA Driver

**Categories of records in the system:**

File contains list of the names of drivers who have received safe driver awards. All correspondence between the Safety Office and the National Safety Council

**Authority for maintenance of the system:**

5 U.S.C. 4503 - Agency Awards

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Safety Office - used to document and present safe driver awards

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper records in file folders

**Retrievability:**

Filed alphabetically by name

**Safeguards:**

Buildings and facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained

**Retention and disposal:**

Records are permanent. Cut off annually, held inactive for one year, transferred to Records Holding Area (RHA), held two years and retired to the Washington National Records Center (WNRC)

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Facilities Engineering Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4477

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Driver record of the individual and all correspondence between the Safety Office and the National Safety Council

**Systems exempted from certain provisions of the act:**

NONE

**B0615-11 HQHTASI**

**System name:**

615-11 Accidental Injury/Death Reporting Records Files

**System location:**

Safety Offices of DMA - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

DMA employees injured as a result of accident

**Categories of records in the system:**

Files contain necessary forms and records and reports of accident and injuries

**Authority for maintenance of the system:**

29 USC 668 - Occupational Safety and Health Programs of Federal Agencies

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Safety Office - for reporting all injuries of persons assigned to DMA for preparation of statistical reports to other required activities

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

Paper record in file folders and/or Kardex

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Records is temporary-CUT OFF end of each year; Inactive one year; Transfer to Records Holding Area; Destroy after five years

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Facilities Engineering Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4477

**Notification procedure:**

Information may be obtained from above System Manager

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information made available by the employee and the supervisor

**Systems exempted from certain provisions of the act:**

NONE

**B0901-04 HTA**

**System name:**

901-04 Civilian Employee Health Clinic Record

**System location:**

Primary System - Civilian Employee Health Clinic - DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A) - See DMA Directory for complete address

**Categories of individuals covered by the system:**

Any individual employed by DMA Hydrographic/Topographic Center (HT) and Aerospace Center (A) and any individual employed by other Government agencies housed in the DMAHTC/DMAAC complexes

**Categories of records in the system:**

File contains information on treatment of employee received at dispensary at HTC and AC

**Authority for maintenance of the system:**

5 USC 7901 - Health Service Programs; 5 U.S.C. 8103 - Compensation for Injuries - Medical Services and Initial Medical and Other Benefits

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Civilian Employee Health Clinics - to maintain medical records of individuals receiving treatment at the clinic for illness/injury while on duty



Family Doctor will have full access to the information  
Supervisors may inquire to record of injury

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

5x8 card files in cabinet

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Hydrographic/Topographic Center - destroy 25 years after separation of individual, upon transfer of employee transfer to gaining organization

Aerospace Center - on transfer of individual, record is transferred to gaining organization. On separation record is returned to National Personnel Records Center (NPRC) with the individuals official Personnel Folder

**System manager(s) and address:**

DMA Hydrographic/Topographic Center, ATTN: Personnel Office, Room 132-A, Erskine Hall, 6500 Brookes Lane, Washington, D.C. 20315, TELEPHONE: Area Code 202/227-2116CPO DMAAC. See DMA Directory for complete address.

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office.

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Entry of information by attending nurse. Record of treatment.

**Systems exempted from certain provisions of the act:**

NONE

**B0901-06 HTAS**

**System name:**

901-06 Blood Donors Files

**System location:**

Civilian Personnel Office - See DMA Directory for complete address

**Categories of individuals covered by the system:**

All civilian employees who have donated blood

**Categories of records in the system:**

File contains cards with names, dates and amount of blood donated.

**Authority for maintenance of the system:**

5 U.S.C. Section 7901; Health Service Programs

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Uses are for awarding employees with certificates and pins.

Personnel Office, Supervisors, blood collectors

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

cards

**Retrievability:**

Filed alphabetically by last name of employee

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained.

**Retention and disposal:**

Destroy when employee is separated from Agency

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Information received from collecting Agency

**Systems exempted from certain provisions of the act:**

NONE

**B0901-07 HQHTAI**

**System name:**

901-07 Alcoholism and Drug Abuse Files

**System location:**

Civilian Personnel Offices - See DMA Directory for complete address listing.

**Categories of individuals covered by the system:**

All civilian employees who have contacted program counselor requesting assistance.

**Categories of records in the system:**

File contains counseling interview notes, medical documents, therapy/treatment referral notes.

**Authority for maintenance of the system:**

21 USC 1175

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To help employees with alcohol or drug problems

Medical Officer - diagnose problem

Counselor - to give advice and management

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper records in file folders

**Retrievability:**

Filed chronologically by number; names deleted, but are known by counselor.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Temporary - destroy when no longer needed or upon separation of employee

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Personnel Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4066

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager.



Requests from individuals should be addressed to the appropriate organization as indicated in address list. Written requests for information should contain the full name of the individual, current address and telephone number and social security number. Visits are limited to normal working hours. For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified.

#### Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

#### Record source categories:

Employee interviews and medical reports  
Employee or relatives

#### Systems exempted from certain provisions of the act:

NONE

#### B1202-17 HTA

##### System name:

1202-17 Contracting Officer Designation Files

##### System location:

Contracting Offices - DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A) - See DMA Directory for complete mailing address

##### Categories of individuals covered by the system:

Employee designated Contracting Officer and Contracting Officer Representative at DMA

##### Categories of records in the system:

Documents reflecting the designation and rescission of Contracting Officers and Contracting Officers representative which includes the specific procurement authorities delegated

##### Authority for maintenance of the system:

44 USC 3101 - Records Management by Federal Agencies

##### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Documents showing individual designated as contracting officers or Contracting Officers Representatives (COR).

Data includes limitations or restrictions on authority

Data includes background information on 'COR' for use in other contracts

##### Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

##### Storage:

Paper record in file folders and/or Kardex book

##### Retrievability:

Filed alphabetically by last name of employee

##### Safeguards:

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

##### Retention and disposal:

Temporary Record. Cut off upon recession or termination and placed in an inactive file area for one year. Transferred to Records Holding Area and held for five years and then destroyed

##### System manager(s) and address:

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

##### Notification procedure:

Information may be obtained from above.

##### Record access procedures:

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

##### Contesting record procedures:

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

#### Record source categories:

Certificate of Appointment and background information on education, DD Form 1539, and specific information on procurement authorities delegated

#### Systems exempted from certain provisions of the act:

NONE

#### B1205-05 HTA

##### System name:

1205-05 Property Officer Designation Files

##### System location:

Property Officers of DMAHTC and DMAAC - See DMA Directory for complete address

##### Categories of individuals covered by the system:

Employees designated Property Officers who have property accounts for their organizations, and have been issued an account number.

##### Categories of records in the system:

Forms and/or memorandums designating property officers. Included are letters of appointment and revocation.

##### Authority for maintenance of the system:

40 U.S.C. 486; Management and Disposal of Government Property

##### Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Memorandums or forms showing who or which individual is authorized custodian for equipment for the various organizations within the Agency. Name of individual grade and organization are shown on this document.

##### Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

##### Storage:

Paper records in file folders

##### Retrievability:

By individual's account number and organization.

##### Safeguards:

Buildings, facility employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

##### Retention and disposal:

Temporary Record - Destroyed in the active office two years after termination of appointment.

##### System manager(s) and address:

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

##### Notification procedure:

Information may be obtained from above.

##### Record access procedures:

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individual current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and some verbal information that could be verified.

##### Contesting record procedures:

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

##### Record source categories:

Internal correspondence designating responsible property accounting individuals

##### Systems exempted from certain provisions of the act:

NONE

#### B1205-23 HTASI

##### System name:

1205-23 Report of Survey Files

##### System location:

DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Defense Mapping School (S), and Inter American Geodetic Survey (I) - See DMA Directory for complete address listing.



**Categories of individuals covered by the system:**

DMA personnel that have loss, damage, or destroyed accountable Government property

**Categories of records in the system:**

Files consist of reports that describe the circumstances concerning loss, damage or destruction of Government property

**Authority for maintenance of the system:**

40 USC 486 - Management and Disposal of Federal Property - Policies, Regulation and Delegations; Promulgation by President

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Logistics Officer - determine responsibility and recommend appropriate action be taken as to pecuniary liability  
Director final decision on payment

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper record in file folders and/or Kardex book

**Retrievability:**

Filed by assigned control number of individual.

**Safeguards:**

Buildings or facilities employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared, and trained

**Retention and disposal:**

Cutoff end of year, held one year, transferred Records Holding Area, held two years, then destroyed

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to system manager. Written requests for information should contain the full name of the individuals current address and telephone number, and the Case (Control) number that appears with the office symbol, on all correspondence received from this office

For personal visits, the individual should be able to provide some acceptable identification, that is, drivers license, employing office's identification card, and give some verbal information that could be verified

**Contesting record procedures:**

The Agency's rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Report of lost damaged or destroyed property

**Systems exempted from certain provisions of the act:**

NONE

**B1206-02 HTA****System name:**

1206-02 Self Service Store Authorization Card Files

**System location:**

Logistics Offices - DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address

**Categories of individuals covered by the system:**

DMA personnel authorized self-service store cards.

**Categories of records in the system:**

Cards identifying individuals as authorized self-service store representatives, requests for issuance of cards, correspondence concerning lost and found cards and related documents.

**Authority for maintenance of the system:**

40 U.S.C. 486; Management and Disposal of Federal Property.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Indicates individuals authorized to sign/receipt for supplies in a designated activity.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Card file and file cabinets

**Retrievability:**

By account number and organization, alphabetical by last name

**Safeguards:**

Buildings and Facility employ security guards. Reports are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record. Held in active file until expiration of card or change of individual; held two years and destroyed.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could be used to verify employment.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Memorandums, cards, forms designating an individual authorization to sign for supplies received from the self-service store.

**Systems exempted from certain provisions of the act:**

NONE

**B1208-06 HTA****System name:**

1208-06 Motor Vehicle Operator's Permits and Qualifications Files

**System location:**

Primary System - Motor Pool, DMA Hydrographic/Topographic Center (HT) and DMA Aerospace Center (A) - See DMA Directory for complete address

Decentralized Segments - Official Personnel Folder; Personnel Records (Civilian) Center - St. Louis, MO.

**Categories of individuals covered by the system:**

All DMA employees qualified and issued a motor vehicle operators permit.

**Categories of records in the system:**

Contains information on employee qualification record and cards and logs in regards to permits issued to individuals authorized to operate Government equipment.

**Authority for maintenance of the system:**

40 U.S.C. 491; Management and Disposal of Federal Property-Motor Vehicle Pools and Transportation Systems.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Motor Pool used as a record of scores on tests, such as: eye examinations, reaction examinations; and as a quick reference on an individual having a license to operate a Government Vehicle.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Rotary Card file and Log Book

**Retrievability:**

ROTARY Card File - By last name of individual

Log Book - By number of permit

**Safeguards:**

Building, Facility employs security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.



**Retention and disposal:**

Temporary Record - Permit is a three year record - Destroyed in the Motor Pool

Permanent Record - Qualification Record - kept in active office until separation or transfer of individual concerned, then transferred to Personnel Office for incorporation into the Official Personnel Folder.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Qualification records consisting of scores on tests.

**Systems exempted from certain provisions of the act:**

NONE

**B1211-03 HQHTAI****System name:**

1211-03 Passport Files

**System location:**

Primary System - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A), Inter American Geodetic Survey (I) See DMA Directory for complete address

Decentralized Segment - State Department (Passports)

**Categories of individuals covered by the system:**

Individuals traveling overseas on official government orders.

**Categories of records in the system:**

Documents relating passports and visas for DMA personnel, including their dependents. Included are requests and receipts for passports, transmittal letters, control cards, and related documents.

**Authority for maintenance of the system:**

44 U.S.C. 3101; Records Management by Federal Agencies.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used by personnel travel in processing for travel orders.

Used by individuals of DMA and their dependents for travel purposes.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

File folders - paper records in locked cabinets.

**Retrievability:**

By name of individual - Alphabetically

**Safeguards:**

Buildings, facility employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record - Held in active office until separation or transfer of individual.

Transferred to State Department upon transfer or separation of individual.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Administration Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4401

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could verify employment.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination should be obtained from System Manager.

**Record source categories:**

Requests and receipt for passports and visas.

**Systems exempted from certain provisions of the act:**

NONE

**B1211-06 HQHTA****System name:**

1211-06 Transportation Officer Appointment Files

**System location:**

Travel Office, DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address.

**Categories of individuals covered by the system:**

Individuals appointed to act as transportation officers, assistant transportation officers or transportation agents.

**Categories of records in the system:**

Documents reflecting appointments of individuals to act as transportation officers, assistant transportation officers or transportation agents.

**Authority for maintenance of the system:**

44 U.S.C. 3101; Records Management by Federal Agencies

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Used to officially designate transportation officers, assistants and agents.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:****Storage:**

Paper Records in file folders

**Retrievability:**

By name of Individual

**Safeguards:**

Buildings, facility employs security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record. Destroy two (2) years after termination of appointment.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address and telephone number, social security number.

For personal visits the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could be verified.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determination may be obtained from System Manager.

**Record source categories:**

Memorandums or letters reflecting individuals appointed to act as transportation officers, assistants or agents.



Systems exempted from certain provisions of the act:  
NONE

**B1211-07 HQHTA****System name:**

1211-07 Individual Government Transportation Files

**System location:**

Primary System - Travel Office - DMA Headquarters (HQ), DMA Hydrographic/Topographic Center (HT), DMA Aerospace Center (A) - See DMA Directory for complete address listing.

Decentralized Segments - Records Management, Records Holding Areas

**Categories of individuals covered by the system:**

DMA employees authorized government travel.

**Categories of records in the system:**

Travel orders and other pertinent correspondence and related documents, and copies of issued and canceled transportation requests, transportation certificates, MAC transportation authorizations.

**Authority for maintenance of the system:**

44 U.S.C. 3101; Records Management by Federal Agencies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used to officially designate Transportation Officer, Assistants and Agents.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:**

Paper Records in file folders

**Retrievability:**

Alphabetical by name on individual folders or by TR number in case of group travel.

**Safeguards:**

Buildings, facility employ security guards. Records are maintained

in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

Temporary Record. Travel Office holds for one year, transfers to Records Holding Area, held for three (3) years and then destroyed.

**System manager(s) and address:**

Defense Mapping Agency, ATTN: Logistics Office, Building 56, U.S. Naval Observatory, Washington, D.C. 20305, TELEPHONE: Area Code 202/254-4475

**Notification procedure:**

Information may be obtained from above.

**Record access procedures:**

Requests from individuals should be addressed to System Manager. Written requests for information should contain the full name of the individual, current address, and telephone number, social security number.

Personal visits - the individual should be able to provide some acceptable identification, that is, drivers' license, employing office's identification card, and give some verbal information that could verify employment.

**Contesting record procedures:**

The Agencies' rules for contesting contents and appealing initial determinations may be obtained from System Manager.

**Record source categories:**

Folders contain various amounts of information on issued and cancelled transportation requests, transportation certificates, travel orders and related data on overseas employees, DMA employees and invitational orders.

**Systems exempted from certain provisions of the act:**

Buildings, facility employ security guards. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

**Retention and disposal:**

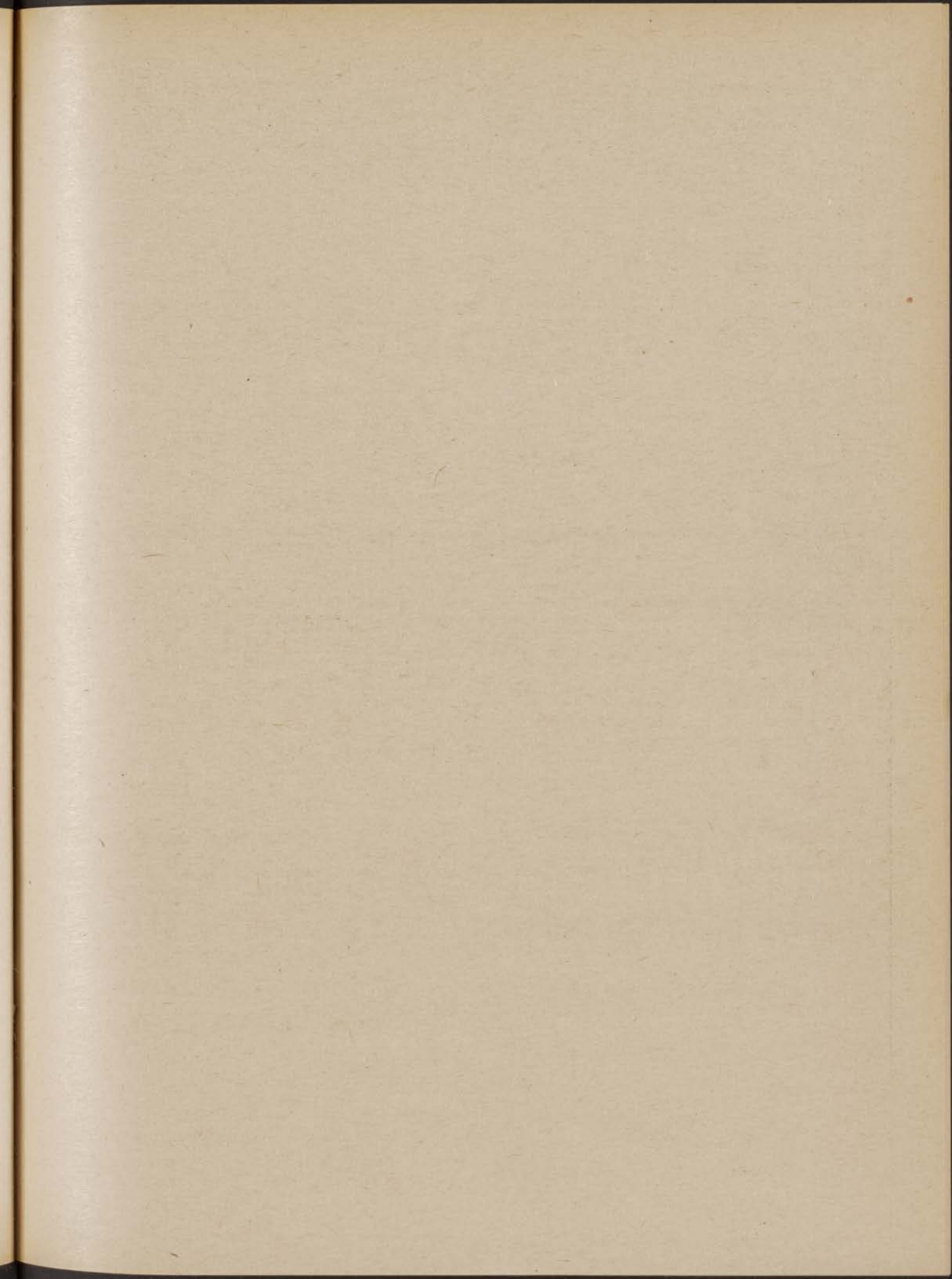
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[FR Doc. 79-1617 Filed 1-19-79; 8:45 am]

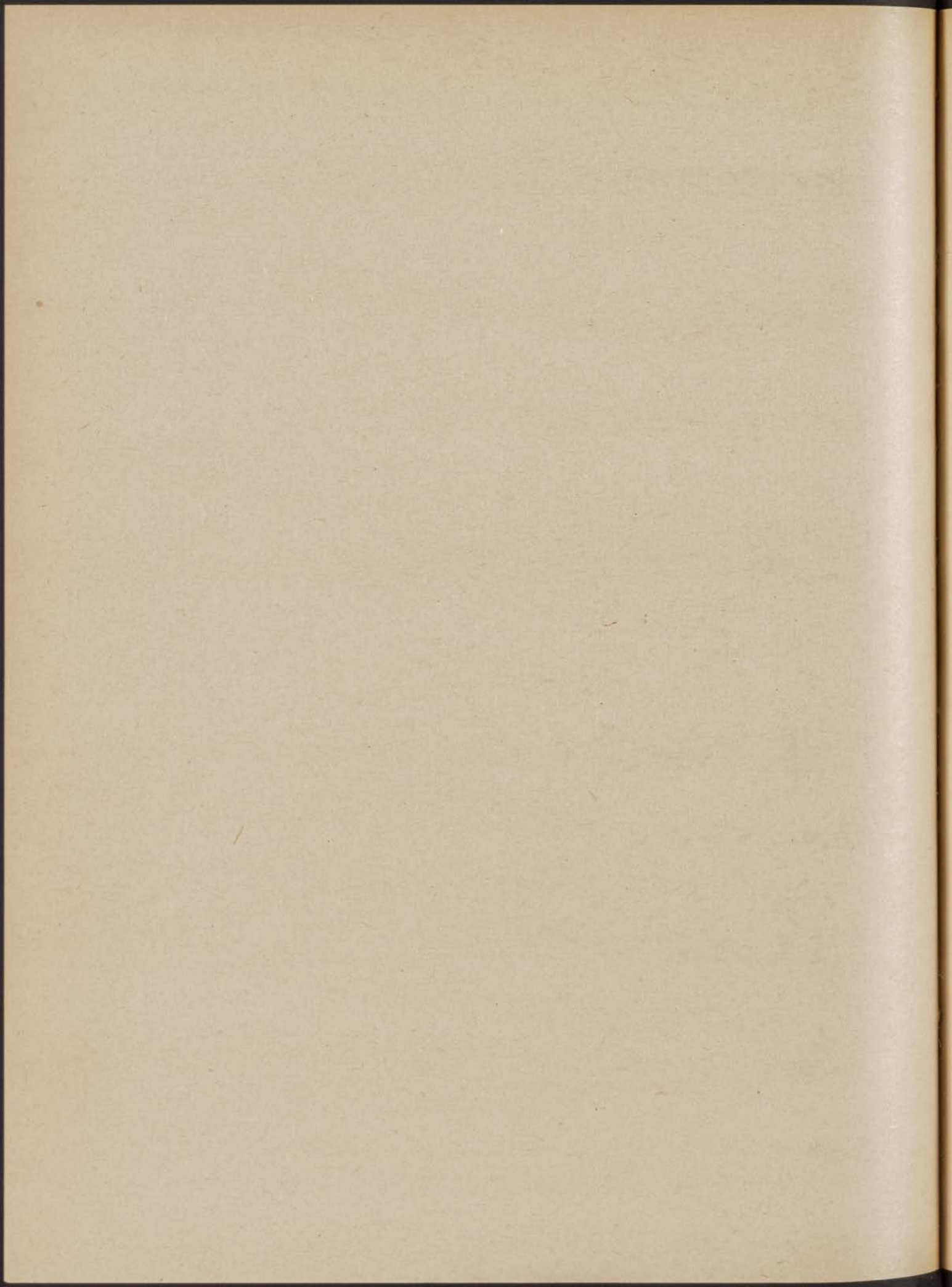


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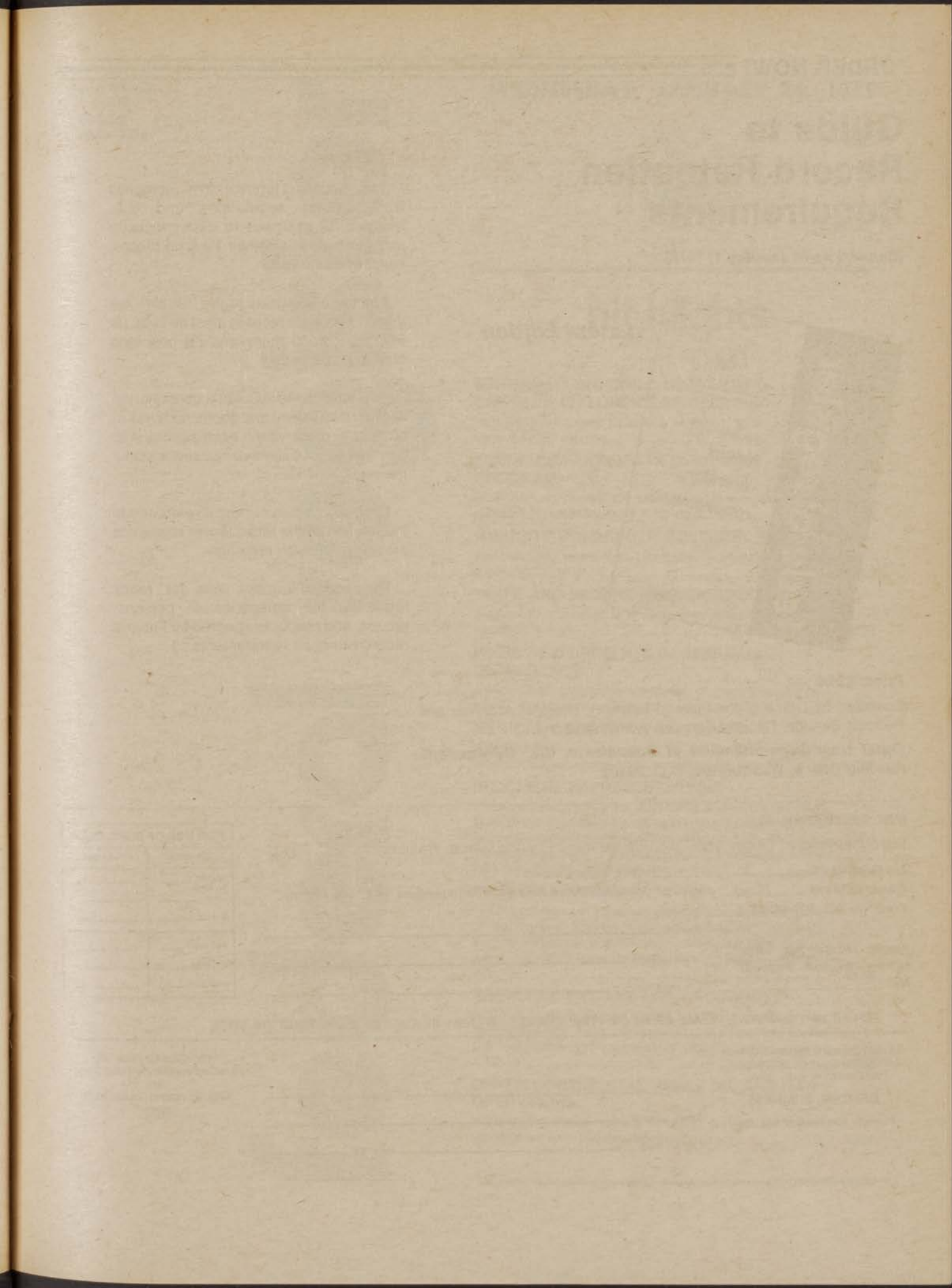














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